

_____ moved to amend as follows:

Engross the bill as directed by the commands in the amendments attached hereto, ignoring matter extraneous to those commands

INDEX

The following amendments are attached hereto:

Assignment#	Subject
HC1914-1	Natural Freedom Wellness Centers
HC1916	Ohio Life Sciences
HC1918	Future of Gaming in Ohio Study Commission
HC1919	Center for Community Health Worker Excellence
HC1921-1	Western and Southern Open Tennis Tournament funding
HC1927-1	Johnny Appleseed Museum
HC1934	Towing civil action
HC1938-1	Oil and Gas - enforcement orders and notice
HC1939	iBELIEVE appropriation
HC1940	Anchored to Hope: Pilot Program
HC1941	Health professionals and plasmapheresis
HC1945	CAT credit for net operating losses
HC1946	Public records and drop boxes
HC1949	Fees for copies of medical records
HC1952	Fee for record sealing/expungement application
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HC3312

Assignment#	Subject
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HC1962	County DD board membership
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HC1991	Coverage for obesity treatment
HC1993	Fulton County demolition program
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HC2006	Stark Education Partnership
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HC2027-1	Kent State University Rising Scholars Program
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HC2039-1	Ashland University Correctional Education Expansion Program
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HC3312

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HC2102-1	The Academy at Cleveland Institute of Music funding
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HC2121	CSR operating expenses
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HC3312

Assignment#	Subject
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HC2213-1	Federally qualified health center rate increase
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HC2264-2	Sewer project at the interchange of SR193 and I-90
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HC3312

Assignment#	Subject
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HC2668	All Ohio Future Fund - electric infrastructure
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HC3312

Assignment#	Subject
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HC2994-2	Ohio Aviation Workforce Innovation Fund
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HC3312

Assignment#	Subject
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HC3021	All Ohio Future Fund - remove royalty payments provision
HC3029	Remove county 9-1-1 wireless charge
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HC3044	Inspirededucation earmark
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HC3048-1	Certified mental health assistant program at Northeast Ohio Medical University
HC3053	Somali Community Link's social services program
HC3074	Connect4Ohio Program rural county definition
HC3078-1	Nursing home - reimbursement language
HC3105	OCOG award amounts
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HC3260	Ohio Aerospace Institute's Space Grant Consortium

HC3312

Assignment#	Subject
HC3269-1	Sandusky City Schools projects
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HC3298	Renewal levies for park districts
HC3299	Remove raw milk sales
HC3300	Career-Technical Construction Program
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HC3303-1	GRIT Program
HC3304	Flying Horse Farms
HC3305	Deer gun hunting season start date - remove
HC3306-1	Accelerated School Assistance Program - Canfield schools
HC3307	Downtown Development, Cultural Center Grant, and other funding changes
HC3308	Cleveland Foodbank
HC3309	Ohio Association of Foodbanks
HC3310-1	Ohio Statewide Independent Living Council
HC3311	EdChoice Pilot Program - prohibit disclosure of family income by chartered nonpublic school

1 The motion was _____ agreed to.

_____ moved to amend as follows:

1 In line 151176, delete "\$11,550,000 \$11,550,000" and
2 insert "\$14,050,000 \$14,050,000"

3 In line 151181, add \$2,500,000 to each fiscal year

4 In line 151261, add \$2,500,000 to each fiscal year

5 After line 151383, insert:

6 "Of the foregoing appropriation item 195503, Local
7 Development Projects, \$2,500,000 in each fiscal year shall be
8 allocated to Ohio Life Sciences Foundation for workforce
9 initiatives and operations."

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Department of Development**

13 **Sections 259.10 and 259.20**

14 Increases GRF ALI 195503, Local Development Projects, by
15 \$2,500,000 in each fiscal year and earmarks the increased amount
16 to Ohio Life Sciences Foundation for workforce initiatives and
17 operations.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 430 of the title, after "and" insert "to amend
Section 5 of H.B. 29 of the 134th General Assembly;" 1 2

After line 163169, insert: 3

"Section 610.__. That Section 5 of H.B. 29 of the 134th
General Assembly be amended to read as follows: 4 5

Sec. 5. (A) The ~~Joint Committee Study commission~~ on ~~Sports~~
the Future of Gaming in Ohio is established. The ~~Committee Study~~
Commission consists of ~~six~~ the following eleven members. ~~The~~
~~Speaker of the House of Representatives shall appoint to the~~
~~Committee three:~~ 6 7 8 9 10

(1) Three members of the House of Representatives, ~~and the~~
~~President of the Senate shall appoint to the Committee three~~
appointed by the Speaker of the House of Representatives; 11 12 13

(2) One member of the House of Representatives appointed by
the Minority Leader of the House of Representatives; 14 15

(3) Three members of the Senate appointed by the President of
the Senate; 16 17

(4) One member of the Senate appointed by the Minority Leader
of the Senate; 18 19

(5) The chairperson of the State Lottery Commission or the chairperson's designee; 20
21

(6) The chairperson of the Ohio Casino Control Commission or the chairperson's designee; 22
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(7) The chairperson of the State Racing Commission or the chairperson's designee. Not more than two members appointed from each chamber may be members of the same political party. The 24
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The Speaker of the House of Representatives and the President of the Senate shall designate co-chairpersons of the Committee Study Commission. 27
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(B) The Committee Study Commission shall ~~monitor~~ do all of the following: 30
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(1) Examine the current status of the statewide lottery and the future of the lottery industry and make recommendations to the General Assembly concerning the statewide lottery; 32
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(2) Examine the implementation of sports gaming under this act H.B. 29 of the 134th General Assembly and the future of the sports gaming industry and shall ~~report its~~ make recommendations, if any, to the General Assembly concerning sports gaming in this state; 35
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(3) Examine the current status of casino gaming in this state and the future of the casino gaming industry and make recommendations to the General Assembly concerning casino gaming in this state; 40
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(4) Examine the current status of horse racing in this state and the future of the horse racing industry and make recommendations to the General Assembly concerning horse racing in this state. 44
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(C) Any ~~study, or any~~ expense incurred, in furtherance of the 48
~~Committee's~~ Study Commission's objectives shall be paid for from, 49
or out of, the Casino Control Commission Fund or other 50
appropriation provided by law. The members shall receive no 51
additional compensation, but shall be reimbursed for actual and 52
necessary expenses incurred in the performance of their official 53
duties. 54

(D) The ~~Committee~~ Study Commission shall submit a report of 55
its findings and recommendations to the General Assembly not later 56
than June 30, 2024. After it submits its report, the Study 57
Commission ceases to exist ~~on the date that is two years after the~~ 58
~~effective date of this section.~~ 59

Section 610.____. That existing Section 5 of H.B. 29 of the 60
134th General Assembly is hereby repealed." 61

The motion was _____ agreed to.

SYNOPSIS

Study Commission on the Future of Gaming in Ohio 62

Section 610.____ and 610.____(amending Section 5 of H.B. 29 of 63
the 134th General Assembly) 64

Expands the membership and duties of the Joint Committee on 65
Sports Gaming created under H.B. 29 and renames it the Study 66
Commission on the Future of Gaming in Ohio. 67

Requires the Study Commission to examine the status of the 68
statewide lottery, sports gaming, casino gaming, and horse racing 69
in Ohio and the future of those industries and to make 70
recommendations to the General Assembly on those subjects. 71

Requires the Study Commission to submit a report of its findings and recommendations to the General Assembly by June 30, 2024.

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74

Specifies that the Study Commission ceases to exist after it submits its report, extending the Joint Committee's current expiration date of March 23, 2024.

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_____ moved to amend as follows:

1 In line 198 of the title, after "3365.131," insert
2 "3701.0212,"

3 In line 595 after "3365.131," insert "3701.0212,"

4 After line 48225, insert:

5 "Sec. 3701.0212. (A) There is created the center for
6 community health worker excellence, a public-private partnership
7 to support and foster the practice of community health workers
8 and improve access to community health worker services across
9 this state.

10 (B) The center shall be a public-private partnership
11 governed by a board of directors comprised of the following
12 members:

13 (1) The director of the department of health or the
14 director's designee;

15 (2) The executive director of the commission on minority
16 health or the director's designee;

17 (3) The medicaid director or the director's designee;

18 (4) The executive director of the board of nursing or the
19 director's designee;

20 (5) The superintendent of public instruction or the
21 superintendent's designee;

22 (6) A representative of an OhioMeansJobs center operator,
23 as defined in section 6301.01 of the Revised Code, appointed by
24 the director of job and family services;

25 (7) An individual who provides services within one or more
26 community HUBs that fully or substantially comply with the
27 pathways community HUB certification standards developed by the
28 pathways community HUB institute, appointed by the director of
29 health;

30 (8) A representative of the Ohio association of community
31 health workers, appointed by that entity;

32 (9) A representative of the Ohio health information
33 partnership, appointed by that entity;

34 (10) A representative of the center for community
35 solutions, appointed by that entity;

36 (11) A representative of the Ohio association of community
37 colleges, appointed by that entity;

38 (12) A representative of the Ohio association of community
39 health centers, appointed by that entity;

40 (13) A representative of the Ohio alliance for population
41 health, appointed by that entity;

42 (14) A member of the house of representatives, appointed by
43 the speaker of the house of representatives;

44 (15) A member of the senate, appointed by the president of
45 the senate.

46 (C) Initial appointments to the committee shall be made not
47 later than sixty days after the effective date of this section.
48 Terms shall be two years, and members may be reappointed. If an
49 appointed member no longer satisfies the grounds upon which the
50 member was appointed, the member is ineligible to continue to
51 serve, and a new member shall be appointed in accordance with
52 division (B) of this section.

53 Vacancies shall be filled in the manner provided for
54 original appointments. Any member appointed to fill a vacancy
55 occurring prior to the expiration date of the term for which the
56 member's predecessor was appointed shall hold office as a member
57 for the remainder of that term.

58 Members of the board shall serve without compensation,
59 except to the extent that serving on the board is considered
60 part of the member's regular duties of employment. Members shall
61 be reimbursed for actual and necessary expenses incurred in the
62 performance of official duties.

63 (D) The board of directors shall annually select from its
64 members a chairperson or co-chairpersons.

65 (E) The board of directors shall meet at the call of the
66 chairperson but not less than quarterly. A majority of the
67 members of the board constitutes a quorum. The chairperson shall

68 provide members with at least five days written notice of all
69 meetings.

70 (F) Under the direction and oversight of the board of
71 directors, and as implemented by health impact Ohio and the Ohio
72 alliance for population health at Ohio university, the center
73 shall engage in all of the following activities:

74 (1) Establishing an electronic platform that may be
75 accessed statewide to connect community health workers with
76 individuals or communities in need of their services;

77 (2) Evaluating and reporting on the state of the community
78 health workforce in Ohio, including the total number of
79 community health workers employed, the settings in which they
80 practice, the number certified by the board of nursing, the
81 average income or hourly wage earned by a community health
82 worker, the reimbursement rates and needs of community health
83 workers, and any available funding sources;

84 (3) Creating and maintaining a web site or other electronic
85 tools to coordinate resources for individuals practicing or
86 seeking to practice as community health workers, including
87 resources related to recruitment, education, training,
88 certification, employment, and mentorships;

89 (4) Making continuing education hours or credits available
90 for free to community health workers certified by the board of
91 nursing;

92 (5) Providing financial assistance to employers that host
93 or offer practicums or other training to community health
94 workers seeking certification by board of nursing.

95 In performing the activities, the center, together with
96 health impact Ohio and the Ohio alliance for population health
97 at Ohio university, may as necessary collaborate with other
98 organizations and institutions, in particular, clinisync, unite
99 us, Ohio association of community health workers, board of
100 nursing, and university of Toledo.

101 (G) The board shall issue a report to the governor and
102 general assembly describing its activities and any
103 recommendations pertaining to community health workers by the
104 first of January of each odd numbered calendar year."

105 In line 154684, delete "\$8,625,000 \$8,625,000" and insert
106 "\$13,625,000 \$13,625,000"

107 In line 154691, add \$5,000,000 to each fiscal year

108 In line 154748, add \$5,000,000 to each fiscal year

109 After line 154844, insert:

110 "Of the foregoing appropriation item 440485, Health Program
111 Support, \$5,000,000 in each fiscal year shall be used for the
112 Center for Community Health Worker Excellence in accordance with
113 section 3701.0212 of the Revised Code."

114 The motion was _____ agreed to.

115

SYNOPSIS

116

Center for Community Health Worker Excellence

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R.C. 3701.0212

118

Creates the Center for Community Health Worker Excellence and establishes the Center's duties.

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120

Provides for a Board of Directors, comprised of members from the General Assembly, various state departments and agencies, and community organizations, to oversee the Center and requires the Board to issue an annual report that describes the Center's activities and includes any recommendations pertaining to the practice of community health workers.

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Authorizes Health Impact Ohio and Ohio University's Ohio alliance for population health to assist the Center in implementing its duties.

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Department of Health

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Sections 291.10 and 291.20

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Increases GRF ALI 440485, Health Program Support, by \$5,000,000 in each fiscal year. Requires the increase in funds to be used for the Center for Community Health Worker Excellence.

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_____ moved to amend as follows:

1 In line 151214, delete the first "\$62,000,000" and insert
2 "\$84,500,000"

3 In line 151215, add \$22,500,000 to fiscal year 2024

4 In line 151261, add \$22,500,000 to fiscal year 2024

5 In line 151658, delete "The" and insert "Of the"; after the
6 second comma insert "\$62,000,000 in fiscal year 2024"

7 After line 151660, insert:

8 "Of the foregoing appropriation item 1956G7, Local
9 Projects, \$22,500,000 in fiscal year 2024 shall be allocated to
10 the City of Mason to support the Western and Southern Open
11 tennis tournament."

12 In 162592, delete "\$62,000,000" and insert "\$84,500,000"

13 The motion was _____ agreed to.

14 SYNOPSIS

15 **Department of Development**

16 **Sections 259.10 and 259.30**

17 Increases GRF ALI 1956G7, Local Projects, by \$22,500,000 in
18 fiscal year 2024 and earmarks the increased amount for the City

HC1921X1

19 of Mason to support the Western and Southern Open tennis
20 tournament.

21 **FY 2023 General Revenue Fund ending balance**

22 **Section 513.10**

23 Increases the amount of cash that must be transferred to
24 the Local Projects Fund (Fund 5ZZ0) from the surplus balance in
25 the GRF at the end of FY 2023 from \$62,000,000 to \$84,500,000.

_____ moved to amend as follows:

1 After line 151650, insert:

2 "Of the foregoing appropriation item 1956G4, Cultural
3 Center Grant, \$110,000 in fiscal year 2024 shall be used to
4 support the Johnny Appleseed Museum and Education Center."

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Department of Development**

8 **Section 259.30**

9 Earmarks \$110,000 in fiscal year 2024 under Cultural Center
10 Grant Fund (Fund 5ZW0) ALI 1956G4, Cultural Center Grant, for
11 the Johnny Appleseed Museum and Education Center.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 202 of the title, after "4507.501," insert "4513.71," 1

In line 599, after "4507.501," insert "4513.71," 2

After line 64773, insert: 3

"Sec. 4513.71. (A) As used in this section: 4

(1) "Towing service" and "storage facility" have the same 5
meanings as in section 4513.70 of the Revised Code. 6

(2) "Motor vehicle owner" means any person that holds title 7
to or is a lienholder of a towed motor vehicle. 8

(B)(1) A motor vehicle owner may commence a civil action 9
against a towing service or storage facility for either of the 10
following reasons: 11

(a) The recovery of a motor vehicle, cargo, or personal 12
property that was removed, towed, or stored pursuant to section 13
4513.66 of the Revised Code; 14

(b) Objecting to the amount billed by the towing service or 15
storage facility. 16

(2) The motor vehicle owner may commence the civil action on 17
behalf of that owner or on behalf of a third party for whom the 18
owner commercially transports the cargo that is the subject of the 19

civil action.

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(C) A towing service or storage facility may commence a civil action against a motor vehicle owner for payment of the amount billed by the towing service or storage facility in accordance with this section if all of the following apply:

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24

(1) The motor vehicle, cargo, or personal property was removed, towed, or stored pursuant to section 4513.66 of the Revised Code;

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(2) The motor vehicle owner has not paid the amount billed or commenced a civil action in accordance with division (B) of this section within forty-five days after the motor vehicle owner received the bill sent by the towing service or storage facility;

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(3) The towing service or storage facility is not seeking title to the motor vehicle, if applicable, in accordance with section 4505.104 of the Revised Code, until judgment is entered in any civil action filed under this section.

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(D) The motor vehicle owner, towing service, or storage facility may file the action in the municipal or county court with territorial jurisdiction over the location from which the motor vehicle, cargo, or personal property was removed, towed, or stored.

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(E) If the motor vehicle owner objects to the amount billed by the towing service or storage facility, the motor vehicle owner shall include in the owner's complaint, answer, or objection to the action, as applicable, the amount of the bill that is undisputed and the reasons the owner objects to the remainder of the bill. The motor vehicle owner shall file a copy of the bill and any evidence supporting the assertion that the billed amount is unreasonable. The motor vehicle owner shall pay the undisputed

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amount to the towing service or service facility and post a bond 49
equal to the disputed amount of the bill. 50

(F) Not later than two business days after receipt of payment 51
of the undisputed amount of the bill and service of the motor 52
vehicle owner's complaint or answer to the civil action, as 53
applicable, the towing service or storage facility shall release 54
the motor vehicle, cargo, or personal property that is the subject 55
of the complaint to the motor vehicle owner. 56

(G) When an action filed under this section involves a 57
dispute over the amount of the bill, the court shall make a 58
determination as to whether the amount charged by the towing 59
service or facility is unreasonable. If the court determines that 60
the amount is reasonable, the court shall order the motor vehicle 61
owner to pay the amount billed minus the undisputed amount that 62
the owner previously paid to the towing service or storage 63
facility. If the court determines that the amount charged was 64
unreasonable, the court shall determine a reasonable amount and 65
order the motor vehicle owner to pay that amount minus the 66
undisputed amount that the owner previously paid to the towing 67
service or storage facility. The court may also require either 68
party to pay or refund any additional amount and may impose any 69
monetary penalties that the court determines to be appropriate. 70

(H) Any money owed by the motor vehicle owner shall be paid 71
from the bond posted by the owner. If any amount of the bond 72
remains after payment, the remainder shall be returned to the 73
motor vehicle owner." 74

The motion was _____ agreed to.

SYNOPSIS

Civil actions related to towing	75
R.C. 4513.71	76
Authorizes a motor vehicle owner to file a civil action to	77
dispute a towing service or storage facility's charges related to	78
the towing and storage of that owner's motor vehicle, cargo, or	79
personal property after a motor vehicle accident.	80
Requires a motor vehicle owner to pay the undisputed amount	81
and to post a bond for the disputed amount of the towing service	82
or storage facility's charges to be used to pay the remainder of	83
the bill or to be returned, depending on the outcome of the civil	84
action.	85
Authorizes a towing service or storage facility to file a	86
civil action against a motor vehicle owner if all of the following	87
apply:	88
1. The motor vehicle, cargo, or personal property was	89
removed, towed, or stored after a motor vehicle accident;	90
2. The motor vehicle owner has not paid the bill or filed a	91
civil action to dispute the charges within 45 days of the owner	92
receiving the bill sent by the towing service or storage facility;	93
3. The towing service or storage facility is not attempting	94
to take title to the motor vehicle until after any final judgments	95
are entered for the current civil action.	96
Requires the court to determine the reasonableness of the	97
amount charged by the towing service or storage facility if that	98
amount is in dispute.	99

_____ moved to amend as follows:

1 In line 20757, strike through all after "given"

2 Strike through lines 20758 and 20759

3 In line 20760, strike through "other types of notice are
4 necessary"

5 In line 20761, strike through "the"

6 In line 20805, after "person", insert "that is subject to
7 this chapter or rules adopted under it"

8 In line 20828, strike through "(B) (2) (c)" and insert
9 "(B) (3)"

10 In line 20829, strike through "(c)" and insert "(3)"

11 In line 20836, strike through "(B) (2) (c)" and insert
12 "(B) (3)"

13 In line 20838, after "person" insert "that has committed a
14 material and substantial violation"

15 In line 20870, after "person" insert "that is subject to
16 this chapter or rules adopted under it"

17 The motion was _____ agreed to.

18

SYNOPSIS

19 **Persons subject to Oil and Gas Law enforcement orders and**
20 **notice**

21 **R.C. 1509.03 and 1509.04**

22 Requires a person to have committed a material and
23 substantial violation before the Chief of the Division of Oil
24 and Gas Resources Management may issue an order requiring that
25 person (who is causing an imminently dangerous condition) to
26 cease oil and gas operations and suspending or revoking an
27 unused permit.

28 Clarifies that the Chief may issue an administrative order
29 for a violation of the Oil and Gas Law to any person subject to
30 that Law, rather than to any person, as in the bill.

31 Clarifies that the Chief may only notify a drilling
32 contractor, transporter, service company, or other similar
33 entity of the compliance status of a person subject to the Oil
34 and Gas Law, rather than the status of any person, as in the
35 bill.

36 Requires the Chief, when giving notice, to do so in
37 accordance with law, rather than as prescribed by rules adopted
38 by the Chief.

39 Eliminates the corresponding requirement that the rules
40 adopted by the Chief provide for notice by publication.

_____ moved to amend as follows:

1 After line 151175a, insert:

2 "GRF 195501 iBELIEVE \$300,000 \$300,000"

3 In line 151181, add \$300,000 to each fiscal year

4 In line 151261, add \$300,000 to each fiscal year

5 After line 151379, insert:

6 "iBELIEVE

7 The foregoing appropriation item 195501, iBELIEVE, shall be
8 allocated to the iBELIEVE Foundation to provide opportunities
9 for Appalachian youth to develop twenty-first century skills,
10 including leadership, communication, and problem-solving for
11 college access and retention."

12 The motion was _____ agreed to.

13 SYNOPSIS

14 **Department of Development**

15 **Section 259.10 and 259.20**

16 Establishes appropriations of \$300,000 in each of FY 2024
17 and FY 2025 under GRF ALI 195501, iBELIEVE, and requires those
18 amounts to be used by the iBELIEVE Foundation to provide
19 opportunities for Appalachian youth to develop twenty-first
20 century skills, including leadership, communication, and
21 problem-solving for college access and retention.

_____ moved to amend as follows:

1 In line 160676, delete "\$119,095,000" and insert
2 "\$119,595,000"

3 In line 160680, add \$500,000 to fiscal year 2024

4 In line 160704, add \$500,000 to fiscal year 2024

5 After line 160738, insert:

6 "ANCHORED TO HOPE PILOT PROGRAM

7 Of the foregoing appropriation item 503321, Parole and
8 Community Operations, \$500,000 in fiscal year 2024 shall be
9 distributed directly to Anchored to Hope to fund a pilot program
10 that will test the effectiveness of providing a full range of
11 treatment services in reducing the recidivism of offenders in
12 community-based correctional facilities and halfway houses. The
13 services shall include medically assisted treatment, cognitive
14 behavioral therapy, and behavioral intervention technologies.
15 Anchored to Hope shall submit a report of its findings from the
16 pilot program to the General Assembly by June 30, 2025."

17 The motion was _____ agreed to.

18

SYNOPSIS

19

Department of Rehabilitation and Correction

20

Section 383.10

21

Increases GRF ALI 503321, Parole and Community Operations,
22 by \$500,000 in fiscal year 2024.

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Earmarks \$500,000 from GRF ALI 503321, Parole and Community
Operations, to be distributed directly to Anchored to Hope to
fund a pilot program that will test the effectiveness of
providing a full range of treatment services (medically assisted
treatment, cognitive behavioral therapy, and behavioral
intervention technologies) in reducing the recidivism of
offenders in community-based correctional facilities and halfway
houses. Requires Anchored to Hope to submit a report of its
findings from the pilot program to the General Assembly by June
30, 2025.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 86 of the title, after "3722.07," insert "3725.05," 1

In line 514, after "3722.07," insert "3725.05," 2

After line 51084, insert: 3

"**Sec. 3725.05.** No plasmapheresis center shall be certified by 4
the director of health unless all federal requirements for the 5
collection of plasma by plasmapheresis under the "Public Health 6
Service Act," 58 Stat. 682 (1944) 42 U.S.C. 201, as amended, are 7
met and: 8

(A) A test approved by the director of health for hepatitis B 9
antigen is made on a sample of blood taken from the donor at the 10
time of blood collection-;i 11

(B) No person who has ever shown a positive test for 12
hepatitis B antigen or who has a history of hepatitis serves as a 13
donor for plasma, with the exception of plasma intended for 14
special purposes approved by the director of health; 15

(C) A qualified licensed physician, known as the medical 16
director, is responsible for compliance with this chapter and 17
rules adopted thereunder, and for maintaining the health and 18
safety of participants in the plasmapheresis procedure-;i 19

(D) ~~A licensed physician, a registered nurse, or a medical 20~~

~~technologist approved by the director of health~~ One of the 21
following individuals is in attendance at all times when a donor 22
is undergoing plasmapheresis, and is responsible for supervising 23
the procedure and the maintenance of sterile technique. 24

(1) A physician authorized under Chapter 4731. of the Revised 25
Code to practice medicine and surgery or osteopathic medicine and 26
surgery; 27

(2) A licensed practical nurse or registered nurse as defined 28
in section 4723.01 of the Revised Code; 29

(3) An individual who is certified as an emergency medical 30
technician-intermediate or emergency medical technician-paramedic 31
under Chapter 4765. of the Revised Code, but is not attending or 32
supervising the procedure or maintaining sterile technique in the 33
individual's capacity as an emergency medical technician; 34

(4) Another qualified medical staff person, including a 35
medical technologist, approved by the director of health. 36

(E) Handwashing facilities are present in the room where the 37
blood is drawn and in the room where the formed elements are 38
separated from the plasma." 39

In line 101294, after "3722.07," insert "3725.05," 40

The motion was _____ agreed to.

SYNOPSIS

Plasmapheresis supervision 41
R.C. 3725.05 42
Revises the law governing the operation of ODH-certified 43

plasmapheresis centers, by expanding the health care providers who 44
must attend, supervise, and maintain sterile technique during 45
plasmapheresis to include licensed practical nurses, emergency 46
medical technicians-intermediate, emergency medical 47
technicians-paramedics, or qualified medical staff persons 48
approved by the Director of Health. 49

_____ moved to amend as follows:

- 1 In line 169 of the title, delete "5751.53,"
- 2 In line 170 of the title, delete "5751.98,"
- 3 In line 574, delete "5751.53, 5751.98,"
- 4 Delete lines 100226 through 100484
- 5 In line 101354, delete "5751.53, 5751.98,"

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **CAT credit for net operating losses**

9 **R.C. 5751.53 and 5751.98**

10 Removes a provision included in the Introduced bill that
11 would have delayed the year in which a commercial activity tax
12 (CAT) credit for certain net operating losses accrued under the
13 defunct corporation franchise tax became refundable, rather than
14 nonrefundable, from calendar year 2030 to 2040.

_____ moved to amend as follows:

1 In line 48786, reinsert "(1) If"; delete the balance of the
2 line

3 In line 48787, delete "this section, if"

4 In line 48788, delete "a person who holds a power"

5 Delete line 48789

6 In line 48790, delete "behalf regarding access to the
7 patient's medical records" and insert "an individual authorized
8 to access the patient's medical record through a valid power of
9 attorney"

10 In line 48792, reinsert "not exceed the"

11 In line 48808, delete "be"; delete "and" and insert an
12 underlined comma

13 In line 48809, delete "and shall include costs that are
14 authorized" and insert "amounts permitted to be charged to the
15 patient"

16 Delete lines 48811 through 48815

17 In line 48818, delete "(B) (1) (a)" and insert "(B) (1)"

18 The motion was _____ agreed to.

19

SYNOPSIS

20

Fees for copies of medical records

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R.C. 3701.741

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Modifies House-added provisions that change existing law regarding costs that may be charged for copies of medical records requested by a patient or the patient's personal representative, as follows:

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--Removes a provision that adds a person holding "other written authorization to act on the patient's behalf" to the same cost provisions as the patient and the patient's personal representative, but maintains that a holder of a power of attorney is subject to the same cost provisions as the patient and the patient's personal representative.

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--Removes a provision that caps the cost of electronic access and transmission of records requested by the patient, patient's personal representative, or holder of a power of attorney at \$50.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 44 of the title, after "2935.03," insert "2953.25, 1
2953.32," 2

In line 482, after "2935.03," insert "2953.25, 2953.32," 3

After line 30333, insert: 4

"**Sec. 2953.25.** (A) As used in this section: 5

(1) "Collateral sanction" means a penalty, disability, or 6
disadvantage that is related to employment or occupational 7
licensing, however denominated, as a result of the individual's 8
conviction of or plea of guilty to an offense and that applies by 9
operation of law in this state whether or not the penalty, 10
disability, or disadvantage is included in the sentence or 11
judgment imposed. 12

"Collateral sanction" does not include imprisonment, 13
probation, parole, supervised release, forfeiture, restitution, 14
fine, assessment, or costs of prosecution. 15

(2) "Decision-maker" includes, but is not limited to, the 16
state acting through a department, agency, board, commission, or 17
instrumentality established by the law of this state for the 18
exercise of any function of government, a political subdivision, 19
an educational institution, or a government contractor or 20

subcontractor made subject to this section by contract, law, or ordinance. 21
 22

(3) "Department-funded program" means a residential or 23
 nonresidential program that is not a term in a state correctional 24
 institution, that is funded in whole or part by the department of 25
 rehabilitation and correction, and that is imposed as a sanction 26
 for an offense, as part of a sanction that is imposed for an 27
 offense, or as a term or condition of any sanction that is imposed 28
 for an offense. 29

(4) "Designee" means the person designated by the deputy 30
 director of the division of parole and community services to 31
 perform the duties designated in division (B) of this section. 32

(5) "Division of parole and community services" means the 33
 division of parole and community services of the department of 34
 rehabilitation and correction. 35

(6) "Offense" means any felony or misdemeanor under the laws 36
 of this state. 37

(7) "Political subdivision" has the same meaning as in 38
 section 2969.21 of the Revised Code. 39

(8) "Discretionary civil impact," "licensing agency," and 40
 "mandatory civil impact" have the same meanings as in section 41
 2961.21 of the Revised Code. 42

(B)(1) An individual who is subject to one or more collateral 43
 sanctions as a result of being convicted of or pleading guilty to 44
 an offense and who either has served a term in a state 45
 correctional institution for any offense or has spent time in a 46
 department-funded program for any offense may file a petition with 47
 the designee of the deputy director of the division of parole and 48
 community services for a certificate of qualification for 49

employment. 50

(2) An individual who is subject to one or more collateral 51
sanctions as a result of being convicted of or pleading guilty to 52
an offense and who is not in a category described in division 53
(B)(1) of this section may file for a certificate of qualification 54
for employment by doing either of the following: 55

(a) In the case of an individual who resides in this state, 56
filing a petition with the court of common pleas of the county in 57
which the person resides or with the designee of the deputy 58
director of the division of parole and community services; 59

(b) In the case of an individual who resides outside of this 60
state, filing a petition with the court of common pleas of any 61
county in which any conviction or plea of guilty from which the 62
individual seeks relief was entered or with the designee of the 63
deputy director of the division of parole and community services. 64

(3) A petition under division (B)(1) or (2) of this section 65
shall be made on a copy of the form prescribed by the division of 66
parole and community services under division (J) of this section, 67
shall contain all of the information described in division (F) of 68
this section, and, except as provided in division (B)(6) of this 69
section, shall be accompanied by an application fee of not more 70
than fifty dollars, ~~including~~ excluding local court fees. 71

(4)(a) Except as provided in division (B)(4)(b) of this 72
section, an individual may file a petition under division (B)(1) 73
or (2) of this section at any time after the expiration of 74
whichever of the following is applicable: 75

(i) If the offense that resulted in the collateral sanction 76
from which the individual seeks relief is a felony, at any time 77
after the expiration of one year from the date of release of the 78

individual from any period of incarceration in a state or local
 correctional facility that was imposed for that offense and all
 periods of supervision imposed after release from the period of
 incarceration or, if the individual was not incarcerated for that
 offense, at any time after the expiration of one year from the
 date of the individual's final release from all other sanctions
 imposed for that offense.

(ii) If the offense that resulted in the collateral sanction
 from which the individual seeks relief is a misdemeanor, at any
 time after the expiration of six months from the date of release
 of the individual from any period of incarceration in a local
 correctional facility that was imposed for that offense and all
 periods of supervision imposed after release from the period of
 incarceration or, if the individual was not incarcerated for that
 offense, at any time after the expiration of six months from the
 date of the final release of the individual from all sanctions
 imposed for that offense including any period of supervision.

(b) The department of rehabilitation and correction may
 establish criteria by rule adopted under Chapter 119. of the
 Revised Code that, if satisfied by an individual, would allow the
 individual to file a petition before the expiration of six months
 or one year from the date of final release, whichever is
 applicable under division (B)(4)(a) of this section.

(5)(a) A designee that receives a petition for a certificate
 of qualification for employment from an individual under division
 (B)(1) or (2) of this section shall review the petition to
 determine whether it is complete. If the petition is complete, the
 designee shall forward the petition, the application fee, and any
 other information the designee possesses that relates to the
 petition, to the court of common pleas of the county in which the

individual resides if the individual submitting the petition 109
 resides in this state or, if the individual resides outside of 110
 this state, to the court of common pleas of the county in which 111
 the conviction or plea of guilty from which the individual seeks 112
 relief was entered. 113

(b) A court of common pleas that receives a petition for a 114
 certificate of qualification for employment from an individual 115
 under division (B)(2) of this section, or that is forwarded a 116
 petition for such a certificate under division (B)(5)(a) of this 117
 section, shall attempt to determine all other courts in this state 118
 in which the individual was convicted of or pleaded guilty to an 119
 offense other than the offense from which the individual is 120
 seeking relief. The court that receives or is forwarded the 121
 petition shall notify all other courts in this state that it 122
 determines under this division were courts in which the individual 123
 was convicted of or pleaded guilty to an offense other than the 124
 offense from which the individual is seeking relief that the 125
 individual has filed the petition and that the court may send 126
 comments regarding the possible issuance of the certificate. 127

A court of common pleas that receives a petition for a 128
 certificate of qualification for employment under division (B)(2) 129
 of this section shall notify the county's prosecuting attorney 130
 that the individual has filed the petition. 131

A court of common pleas that receives a petition for a 132
 certificate of qualification for employment under division (B)(2) 133
 of this section, or that is forwarded a petition for qualification 134
 under division (B)(5)(a) of this section may direct the clerk of 135
 court to process and record all notices required in or under this 136
 section. Except as provided in division (B)(6) of this section, 137
 the court shall pay thirty dollars of the application fee into the 138

state treasury and twenty dollars of the application fee into the 139
 county general revenue fund. 140

(6) Upon receiving a petition for a certificate of 141
 qualification for employment filed by an individual under division 142
 (B)(1) or (2) of this section, a court of common pleas or the 143
 designee of the deputy director of the division of parole and 144
 community services who receives the petition may waive all or part 145
 of the ~~filing~~ application fee of not more than fifty dollars 146
 described in division (B)(3) of this section, for an applicant who 147
 presents a poverty affidavit showing that the applicant is 148
 indigent. If an applicant pays an application fee, the first 149
 twenty dollars or two-fifths of the fee, whichever is greater, 150
 that is collected shall be paid into the county general revenue 151
 fund. If an applicant pays an application fee, the amount 152
 collected in excess of the amount to be paid into the county 153
 general revenue fund shall be paid into the state treasury. 154

(C)(1) Upon receiving a petition for a certificate of 155
 qualification for employment filed by an individual under division 156
 (B)(2) of this section or being forwarded a petition for such a 157
 certificate under division (B)(5)(a) of this section, the court 158
 shall review the individual's petition, the individual's criminal 159
 history, except for information contained in any record that has 160
 been sealed under section 2953.32 of the Revised Code, all filings 161
 submitted by the prosecutor or by the victim in accordance with 162
 rules adopted by the division of parole and community services, 163
 the applicant's military service record, if applicable, and 164
 whether the applicant has an emotional, mental, or physical 165
 condition that is traceable to the applicant's military service in 166
 the armed forces of the United States and that was a contributing 167
 factor in the commission of the offense or offenses, and all other 168
 relevant evidence. The court may order any report, investigation, 169

or disclosure by the individual that the court believes is 170
 necessary for the court to reach a decision on whether to approve 171
 the individual's petition for a certificate of qualification for 172
 employment, except that the court shall not require an individual 173
 to disclose information about any record sealed under section 174
 2953.32 of the Revised Code. 175

(2) Upon receiving a petition for a certificate of 176
 qualification for employment filed by an individual under division 177
 (B)(2) of this section or being forwarded a petition for such a 178
 certificate under division (B)(5)(a) of this section, except as 179
 otherwise provided in this division, the court shall decide 180
 whether to issue the certificate within sixty days after the court 181
 receives or is forwarded the completed petition and all 182
 information requested for the court to make that decision. Upon 183
 request of the individual who filed the petition, the court may 184
 extend the sixty-day period specified in this division. 185

(3) Except as provided in division (C)(5) of this section and 186
 subject to division (C)(7) of this section, a court that receives 187
 an individual's petition for a certificate of qualification for 188
 employment under division (B)(2) of this section or that is 189
 forwarded a petition for such a certificate under division 190
 (B)(5)(a) of this section may issue a certificate of qualification 191
 for employment, at the court's discretion, if the court finds that 192
 the individual has established all of the following by a 193
 preponderance of the evidence: 194

(a) Granting the petition will materially assist the 195
 individual in obtaining employment or occupational licensing. 196

(b) The individual has a substantial need for the relief 197
 requested in order to live a law-abiding life. 198

(c) Granting the petition would not pose an unreasonable risk 199

to the safety of the public or any individual. 200

(4) The submission of an incomplete petition by an individual 201
shall not be grounds for the designee or court to deny the 202
petition. 203

(5) Subject to division (C)(6) of this section, an individual 204
is rebuttably presumed to be eligible for a certificate of 205
qualification for employment if the court that receives the 206
individual's petition under division (B)(2) of this section or 207
that is forwarded a petition under division (B)(5)(a) of this 208
section finds all of the following: 209

(a) The application was filed after the expiration of the 210
applicable waiting period prescribed in division (B)(4) of this 211
section; 212

(b) If the offense that resulted in the collateral sanction 213
from which the individual seeks relief is a felony, at least three 214
years have elapsed since the date of release of the individual 215
from any period of incarceration in a state or local correctional 216
facility that was imposed for that offense and all periods of 217
supervision imposed after release from the period of incarceration 218
or, if the individual was not incarcerated for that offense, at 219
least three years have elapsed since the date of the individual's 220
final release from all other sanctions imposed for that offense; 221

(c) If the offense that resulted in the collateral sanction 222
from which the individual seeks relief is a misdemeanor, at least 223
one year has elapsed since the date of release of the individual 224
from any period of incarceration in a local correctional facility 225
that was imposed for that offense and all periods of supervision 226
imposed after release from the period of incarceration or, if the 227
individual was not incarcerated for that offense, at least one 228
year has elapsed since the date of the final release of the 229

individual from all sanctions imposed for that offense including 230
any period of supervision. 231

(6) An application that meets all of the requirements for the 232
presumption under division (C)(5) of this section shall be denied 233
only if the court that receives the petition finds that the 234
evidence reviewed under division (C)(1) of this section rebuts the 235
presumption of eligibility for issuance by establishing, by clear 236
and convincing evidence, that the applicant has not been 237
rehabilitated. 238

(7) A certificate of qualification for employment shall not 239
create relief from any of the following collateral sanctions: 240

(a) Requirements imposed by Chapter 2950. of the Revised Code 241
and rules adopted under sections 2950.13 and 2950.132 of the 242
Revised Code; 243

(b) A driver's license, commercial driver's license, or 244
probationary license suspension, cancellation, or revocation 245
pursuant to section 4510.037, 4510.07, 4511.19, or 4511.191 of the 246
Revised Code if the relief sought is available pursuant to section 247
4510.021 or division (B) of section 4510.13 of the Revised Code; 248

(c) Restrictions on employment as a prosecutor or law 249
enforcement officer; 250

(d) The denial, ineligibility, or automatic suspension of a 251
license that is imposed upon an individual applying for or holding 252
a license as a health care professional under Title XLVII of the 253
Revised Code if the individual is convicted of, pleads guilty to, 254
is subject to a judicial finding of eligibility for intervention 255
in lieu of conviction in this state under section 2951.041 of the 256
Revised Code, or is subject to treatment or intervention in lieu 257
of conviction for a violation of section 2903.01, 2903.02, 258

2903.03, 2903.11, 2905.01, 2907.02, 2907.03, 2907.05, 2909.02, 259
 2911.01, 2911.11, 2919.123, or 2919.124 of the Revised Code; 260

(e) The immediate suspension of a license, certificate, or 261
 evidence of registration that is imposed upon an individual 262
 holding a license as a health care professional under Title XLVII 263
 of the Revised Code pursuant to division (C) of section 3719.121 264
 of the Revised Code; 265

(f) The denial or ineligibility for employment in a pain 266
 clinic under division (B)(4) of section 4729.552 of the Revised 267
 Code; 268

(g) The mandatory suspension of a license that is imposed on 269
 an individual applying for or holding a license as a health care 270
 professional under Title XLVII of the Revised Code pursuant to 271
 section 3123.43 of the Revised Code. 272

(8) If a court that receives an individual's petition for a 273
 certificate of qualification for employment under division (B)(2) 274
 of this section or that is forwarded a petition for such a 275
 certificate under division (B)(5)(a) of this section denies the 276
 petition, the court shall provide written notice to the individual 277
 of the court's denial. The court may place conditions on the 278
 individual regarding the individual's filing of any subsequent 279
 petition for a certificate of qualification for employment. The 280
 written notice must notify the individual of any conditions placed 281
 on the individual's filing of a subsequent petition for a 282
 certificate of qualification for employment. 283

If a court of common pleas that receives an individual's 284
 petition for a certificate of qualification for employment under 285
 division (B)(2) of this section or that is forwarded a petition 286
 for such a certificate under division (B)(5)(a) of this section 287
 denies the petition, the individual may appeal the decision to the 288

court of appeals only if the individual alleges that the denial 289
 was an abuse of discretion on the part of the court of common 290
 pleas. 291

(D)(1) A certificate of qualification for employment issued 292
 to an individual lifts the automatic bar of a collateral sanction, 293
 and a decision-maker shall consider on a case-by-case basis 294
 whether to grant or deny the issuance or restoration of an 295
 occupational license or an employment opportunity, notwithstanding 296
 the individual's possession of the certificate, without, however, 297
 reconsidering or rejecting any finding made by a designee or court 298
 under division (C)(3) of this section. 299

(2) The certificate constitutes a rebuttable presumption that 300
 the person's criminal convictions are insufficient evidence that 301
 the person is unfit for the license, employment opportunity, or 302
 certification in question. Notwithstanding the presumption 303
 established under this division, the agency may deny the license 304
 or certification for the person if it determines that the person 305
 is unfit for issuance of the license. 306

(3) If an employer that has hired a person who has been 307
 issued a certificate of qualification for employment applies to a 308
 licensing agency for a license or certification and the person has 309
 a conviction or guilty plea that otherwise would bar the person's 310
 employment with the employer or licensure for the employer because 311
 of a mandatory civil impact, the agency shall give the person 312
 individualized consideration, notwithstanding the mandatory civil 313
 impact, the mandatory civil impact shall be considered for all 314
 purposes to be a discretionary civil impact, and the certificate 315
 constitutes a rebuttable presumption that the person's criminal 316
 convictions are insufficient evidence that the person is unfit for 317
 the employment, or that the employer is unfit for the license or 318

certification, in question. 319

(E) A certificate of qualification for employment does not 320
grant the individual to whom the certificate was issued relief 321
from the mandatory civil impacts identified in division (A)(1) of 322
section 2961.01 or division (B) of section 2961.02 of the Revised 323
Code. 324

(F) A petition for a certificate of qualification for 325
employment filed by an individual under division (B)(1) or (2) of 326
this section shall include all of the following: 327

(1) The individual's name, date of birth, and social security 328
number; 329

(2) All aliases of the individual and all social security 330
numbers associated with those aliases; 331

(3) The individual's residence address, including the city, 332
county, and state of residence and zip code; 333

(4) The length of time that the individual has resided in the 334
individual's current state of residence, expressed in years and 335
months of residence; 336

(5) A general statement as to why the individual has filed 337
the petition and how the certificate of qualification for 338
employment would assist the individual; 339

(6) A summary of the individual's criminal history, except 340
for information contained in any record that has been sealed or 341
expunged under section 2953.32 or 2953.39 of the Revised Code, 342
with respect to each offense that is a disqualification from 343
employment or licensing in an occupation or profession, including 344
the years of each conviction or plea of guilty for each of those 345
offenses; 346

(7) A summary of the individual's employment history, 347
specifying the name of, and dates of employment with, each 348
employer; 349

(8) Verifiable references and endorsements; 350

(9) The name of one or more immediate family members of the 351
individual, or other persons with whom the individual has a close 352
relationship, who support the individual's reentry plan; 353

(10) A summary of the reason the individual believes the 354
certificate of qualification for employment should be granted; 355

(11) Any other information required by rule by the department 356
of rehabilitation and correction. 357

(G)(1) In a judicial or administrative proceeding alleging 358
negligence or other fault, a certificate of qualification for 359
employment issued to an individual under this section may be 360
introduced as evidence of a person's due care in hiring, 361
retaining, licensing, leasing to, admitting to a school or 362
program, or otherwise transacting business or engaging in activity 363
with the individual to whom the certificate of qualification for 364
employment was issued if the person knew of the certificate at the 365
time of the alleged negligence or other fault. 366

(2) In any proceeding on a claim against an employer for 367
negligent hiring, a certificate of qualification for employment 368
issued to an individual under this section shall provide immunity 369
for the employer as to the claim if the employer knew of the 370
certificate at the time of the alleged negligence. 371

(3) If an employer hires an individual who has been issued a 372
certificate of qualification for employment under this section, if 373
the individual, after being hired, subsequently demonstrates 374
dangerousness or is convicted of or pleads guilty to a felony, and 375

if the employer retains the individual as an employee after the
demonstration of dangerousness or the conviction or guilty plea,
the employer may be held liable in a civil action that is based on
or relates to the retention of the individual as an employee only
if it is proved by a preponderance of the evidence that the person
having hiring and firing responsibility for the employer had
actual knowledge that the employee was dangerous or had been
convicted of or pleaded guilty to the felony and was willful in
retaining the individual as an employee after the demonstration of
dangerousness or the conviction or guilty plea of which the person
has actual knowledge.

(H) A certificate of qualification for employment issued
under this section shall be revoked if the individual to whom the
certificate of qualification for employment was issued is
convicted of or pleads guilty to a felony offense committed
subsequent to the issuance of the certificate of qualification for
employment. The department of rehabilitation and correction shall
periodically review the certificates listed in the database
described in division (K) of this section to identify those that
are subject to revocation under this division. Upon identifying a
certificate of qualification for employment that is subject to
revocation, the department shall note in the database that the
certificate has been revoked, the reason for revocation, and the
effective date of revocation, which shall be the date of the
conviction or plea of guilty subsequent to the issuance of the
certificate.

(I) A designee's forwarding, or failure to forward, a
petition for a certificate of qualification for employment to a
court or a court's issuance, or failure to issue, a petition for a
certificate of qualification for employment to an individual under
division (B) of this section does not give rise to a claim for

damages against the department of rehabilitation and correction or court.

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(J) The division of parole and community services shall adopt rules in accordance with Chapter 119. of the Revised Code for the implementation and administration of this section and shall prescribe the form for the petition to be used under division (B)(1) or (2) of this section. The form for the petition shall include places for all of the information specified in division (F) of this section.

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(K) The department of rehabilitation and correction shall maintain a database that identifies granted certificates and revoked certificates and tracks the number of certificates granted and revoked, the industries, occupations, and professions with respect to which the certificates have been most applicable, and the types of employers that have accepted the certificates. The department shall annually create a report that summarizes the information maintained in the database and shall make the report available to the public on its internet web site.

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Sec. 2953.32. (A) Sections 2953.32 to 2953.34 of the Revised Code do not apply to any of the following:

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(1) Convictions under Chapter 4506., 4507., 4510., 4511., or 4549. of the Revised Code, or a conviction for a violation of a municipal ordinance that is substantially similar to any section contained in any of those chapters;

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(2) Convictions of a felony offense of violence that is not a sexually oriented offense;

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(3) Convictions of a sexually oriented offense when the offender is subject to the requirements of Chapter 2950. of the Revised Code or Chapter 2950. of the Revised Code as it existed

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prior to January 1, 2008; 436

(4) Convictions of an offense in circumstances in which the 437
 victim of the offense was less than thirteen years of age, except 438
 for convictions under section 2919.21 of the Revised Code; 439

(5) Convictions of a felony of the first or second degree or 440
 of more than two felonies of the third degree; 441

(6) Convictions for a violation of section 2919.25 or 2919.27 442
 of the Revised Code or a conviction for a violation of a municipal 443
 ordinance that is substantially similar to either section. 444

(B)(1) Except as provided in section 2953.61 of the Revised 445
 Code or as otherwise provided in division (B)(1)(a)(iii) of this 446
 section, an eligible offender may apply to the sentencing court if 447
 convicted in this state, or to a court of common pleas if 448
 convicted in another state or in a federal court, for the sealing 449
 or expungement of the record of the case that pertains to the 450
 conviction, except for convictions listed in division (A) of this 451
 section. Application may be made at whichever of the following 452
 times is applicable regarding the offense: 453

(a) An application for sealing under this section may be made 454
 at whichever of the following times is applicable regarding the 455
 offense: 456

(i) Except as otherwise provided in division (B)(1)(a)(iv) of 457
 this section, at the expiration of three years after the 458
 offender's final discharge if convicted of one or two felonies of 459
 the third degree, so long as none of the offenses is a violation 460
 of section 2921.43 of the Revised Code; 461

(ii) Except as otherwise provided in division (B)(1)(a)(iv) 462
 of this section, at the expiration of one year after the 463
 offender's final discharge if convicted of one or more felonies of 464

the fourth or fifth degree or one or more misdemeanors, so long as
 none of the offenses is a violation of section 2921.43 of the
 Revised Code or a felony offense of violence;

(iii) At the expiration of seven years after the offender's
 final discharge if the record includes one or more convictions of
 soliciting improper compensation in violation of section 2921.43
 of the Revised Code;

(iv) If the offender was subject to the requirements of
 Chapter 2950. of the Revised Code or Chapter 2950. of the Revised
 Code as it existed prior to January 1, 2008, at the expiration of
 five years after the requirements have ended under section 2950.07
 of the Revised Code or section 2950.07 of the Revised Code as it
 existed prior to January 1, 2008, or are terminated under section
 2950.15 or 2950.151 of the Revised Code;

(v) At the expiration of six months after the offender's
 final discharge if convicted of a minor misdemeanor.

(b) An application for expungement under this section may be
 made at whichever of the following times is applicable regarding
 the offense:

(i) Except as otherwise provided in division (B)(1)(b)(ii) of
 this section, if the offense is a misdemeanor, at the expiration
 of one year after the offender's final discharge;

(ii) If the offense is a minor misdemeanor, at the expiration
 of six months after the offender's final discharge;

(iii) If the offense is a felony, at the expiration of ten
 years after the time specified in division (B)(1)(a) of this
 section at which the person may file an application for sealing
 with respect to that felony offense.

(2) Any person who has been arrested for any misdemeanor

offense and who has effected a bail forfeiture for the offense 494
 charged may apply to the court in which the misdemeanor criminal 495
 case was pending when bail was forfeited for the sealing or 496
 expungement of the record of the case that pertains to the charge. 497
 Except as provided in section 2953.61 of the Revised Code, the 498
 application may be filed at whichever of the following times is 499
 applicable regarding the offense: 500

(a) An application for sealing may be made at any time after 501
 the date on which the bail forfeiture was entered upon the minutes 502
 of the court or the journal, whichever entry occurs first. 503

(b) An application for expungement may be made at any time 504
 after the expiration of three years from the date on which the 505
 bail forfeiture was entered upon the minutes of the court or the 506
 journal, whichever entry occurs first. 507

(C) Upon the filing of an application under this section, the 508
 court shall set a date for a hearing and shall notify the 509
 prosecutor for the case of the hearing on the application not less 510
 than sixty days prior to the hearing. The prosecutor shall provide 511
 timely notice to a victim and victim's representative, if 512
 applicable, if the victim or victim's representative requested 513
 notice of the proceedings in the underlying case. The court shall 514
 hold the hearing not less than forty-five days and not more than 515
 ninety days from the date of the filing of the application. The 516
 prosecutor may object to the granting of the application by filing 517
 a written objection with the court not later than thirty days 518
 prior to the date set for the hearing. The prosecutor shall 519
 specify in the objection the reasons for believing a denial of the 520
 application is justified. The prosecutor shall provide notice of 521
 the application and the date and time of the hearing to the victim 522
 of the offense in the case pursuant to the Ohio Constitution. The 523

victim, victim's representative, and victim's attorney, if 524
 applicable, may be present and heard orally, in writing, or both 525
 at any hearing under this section. The court shall direct its 526
 regular probation officer, a state probation officer, or the 527
 department of probation of the county in which the applicant 528
 resides to make inquiries and written reports as the court 529
 requires concerning the applicant. The probation officer or county 530
 department of probation that the court directs to make inquiries 531
 and written reports as the court requires concerning the applicant 532
 shall determine whether or not the applicant was fingerprinted at 533
 the time of arrest or under section 109.60 of the Revised Code. If 534
 the applicant was so fingerprinted, the probation officer or 535
 county department of probation shall include with the written 536
 report a record of the applicant's fingerprints. If the applicant 537
 was convicted of or pleaded guilty to a violation of division 538
 (A)(2) or (B) of section 2919.21 of the Revised Code, the 539
 probation officer or county department of probation that the court 540
 directed to make inquiries concerning the applicant shall contact 541
 the child support enforcement agency enforcing the applicant's 542
 obligations under the child support order to inquire about the 543
 offender's compliance with the child support order. 544

(D)(1) At the hearing held under division (C) of this 545
 section, the court shall do each of the following: 546

(a) Determine whether the applicant is pursuing sealing or 547
 expunging a conviction of an offense that is prohibited under 548
 division (A) of this section or whether the forfeiture of bail was 549
 agreed to by the applicant and the prosecutor in the case, and 550
 determine whether the application was made at the time specified 551
 in division (B)(1)(a) or (b) or division (B)(2)(a) or (b) of this 552
 section that is applicable with respect to the application and the 553
 subject offense; 554

(b) Determine whether criminal proceedings are pending 555
 against the applicant; 556

(c) Determine whether the applicant has been rehabilitated to 557
 the satisfaction of the court; 558

(d) If the prosecutor has filed an objection in accordance 559
 with division (C) of this section, consider the reasons against 560
 granting the application specified by the prosecutor in the 561
 objection; 562

(e) If the victim objected, pursuant to the Ohio 563
 Constitution, consider the reasons against granting the 564
 application specified by the victim in the objection; 565

(f) Weigh the interests of the applicant in having the 566
 records pertaining to the applicant's conviction or bail 567
 forfeiture sealed or expunged against the legitimate needs, if 568
 any, of the government to maintain those records; 569

(g) Consider the oral or written statement of any victim, 570
 victim's representative, and victim's attorney, if applicable; 571

(h) If the applicant was an eligible offender of the type 572
 described in division (A)(3) of section 2953.36 of the Revised 573
 Code as it existed prior to the effective date of this amendment, 574
 determine whether the offender has been rehabilitated to a 575
 satisfactory degree. In making the determination, the court may 576
 consider all of the following: 577

(i) The age of the offender; 578

(ii) The facts and circumstances of the offense; 579

(iii) The cessation or continuation of criminal behavior; 580

(iv) The education and employment of the offender; 581

(v) Any other circumstances that may relate to the offender's 582

rehabilitation. 583

(2) If the court determines, after complying with division 584
 (D)(1) of this section, that the offender is not pursuing sealing 585
 or expunging a conviction of an offense that is prohibited under 586
 division (A) of this section or that the forfeiture of bail was 587
 agreed to by the applicant and the prosecutor in the case, that 588
 the application was made at the time specified in division 589
 (B)(1)(a) or (b) or division (B)(2)(a) or (b) of this section that 590
 is applicable with respect to the application and the subject 591
 offense, that no criminal proceeding is pending against the 592
 applicant, that the interests of the applicant in having the 593
 records pertaining to the applicant's conviction or bail 594
 forfeiture sealed or expunged are not outweighed by any legitimate 595
 governmental needs to maintain those records, and that the 596
 rehabilitation of the applicant has been attained to the 597
 satisfaction of the court, both of the following apply: 598

(a) The court, except as provided in division (D)(4) or (5) 599
 of this section or division (D), (F), or (G) of section 2953.34 of 600
 the Revised Code, shall order all official records of the case 601
 that pertain to the conviction or bail forfeiture sealed if the 602
 application was for sealing or expunged if the application was for 603
 expungement and, except as provided in division (C) of section 604
 2953.34 of the Revised Code, all index references to the case that 605
 pertain to the conviction or bail forfeiture deleted and, in the 606
 case of bail forfeitures, shall dismiss the charges in the case. 607

(b) The proceedings in the case that pertain to the 608
 conviction or bail forfeiture shall be considered not to have 609
 occurred and the conviction or bail forfeiture of the person who 610
 is the subject of the proceedings shall be sealed if the 611
 application was for sealing or expunged if the application was for 612

expungement, except that upon conviction of a subsequent offense, 613
 a sealed record of prior conviction or bail forfeiture may be 614
 considered by the court in determining the sentence or other 615
 appropriate disposition, including the relief provided for in 616
 sections 2953.31, 2953.32, and 2953.34 of the Revised Code. 617

(3) An applicant may request the sealing or expungement of 618
 the records of more than one case in a single application under 619
 this section. Upon the filing of an application under this 620
 section, the applicant, unless the applicant presents a poverty 621
 affidavit showing that the applicant is indigent, shall pay a fee 622
 of not more than fifty dollars, ~~including~~ excluding local court 623
 fees, regardless of the number of records the application requests 624
 to have sealed or expunged. If the applicant pays a fee, the court 625
 shall pay three-fifths of the fee collected into the state 626
 treasury, with half of that amount credited to the attorney 627
 general reimbursement fund created by section 109.11 of the 628
 Revised Code. If the applicant pays a fee, the court shall pay 629
 two-fifths of the fee collected into the county general revenue 630
 fund if the sealed or expunged conviction or bail forfeiture was 631
 pursuant to a state statute, or into the general revenue fund of 632
 the municipal corporation involved if the sealed or expunged 633
 conviction or bail forfeiture was pursuant to a municipal 634
 ordinance. 635

(4) If the court orders the official records pertaining to 636
 the case sealed or expunged, the court shall do one of the 637
 following: 638

(a) If the applicant was fingerprinted at the time of arrest 639
 or under section 109.60 of the Revised Code and the record of the 640
 applicant's fingerprints was provided to the court under division 641
 (C) of this section, forward a copy of the sealing or expungement 642

order and the record of the applicant's fingerprints to the bureau
of criminal identification and investigation.

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(b) If the applicant was not fingerprinted at the time of
arrest or under section 109.60 of the Revised Code, or the record
of the applicant's fingerprints was not provided to the court
under division (C) of this section, but fingerprinting was
required for the offense, order the applicant to appear before a
sheriff to have the applicant's fingerprints taken according to
the fingerprint system of identification on the forms furnished by
the superintendent of the bureau of criminal identification and
investigation. The sheriff shall forward the applicant's
fingerprints to the court. The court shall forward the applicant's
fingerprints and a copy of the sealing or expungement order to the
bureau of criminal identification and investigation.

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Failure of the court to order fingerprints at the time of
sealing or expungement does not constitute a reversible error.

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(5) Notwithstanding any other provision of the Revised Code
to the contrary, when the bureau of criminal identification and
investigation receives notice from a court that a conviction has
been expunged under this section, the bureau of criminal
identification and investigation shall maintain a record of the
expunged conviction record for the limited purpose of determining
an individual's qualification or disqualification for employment
in law enforcement. The bureau of criminal identification and
investigation shall not be compelled by the court to expunge those
records. These records may only be disclosed or provided to law
enforcement for the limited purpose of determining an individual's
qualification or disqualification for employment in law
enforcement."

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In line 101262, after "2935.03," insert "2953.25, 2953.32,"

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After line 163670, insert: 673

"Section 2953.32 of the Revised Code as amended by both H.B. 674
 343 and S.B. 288 of the 134th General Assembly." 675

The motion was _____ agreed to.

SYNOPSIS

Exclusion of local court fees 676

R.C. 2953.25 and 2953.32 677

Requires that a petition for a certificate of qualification 678
 for employment must be accompanied by an application fee of not 679
 more than \$50, excluding local court fees. 680

Requires that an application for sealing or expungement must 681
 be accompanied by a fee of not more than \$50, excluding local 682
 court fees. 683

_____ moved to amend as follows:

1 After line 95365, insert:

2 "(65) The fee imposed by section 3743.22 of the Revised
3 Code, if it is separately stated on the invoice, bill of sale,
4 or similar document given by the vendor to the consumer for a
5 retail sale made in this state."

6 After line 99790, insert:

7 "(tt) The fee imposed by section 3743.22 of the Revised
8 Code collected by the taxpayer and remitted to the fire marshal
9 during the tax period, provided that the fee is separately
10 stated on the invoice, bill of sale, or similar document given
11 to the purchaser of 1.4G fireworks in this state."

12 In line 163575, delete "division" and insert "divisions"

13 In line 163576, after "(F) (2) (rr)" insert "and (tt)"

14 The motion was _____ agreed to.

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SYNOPSIS

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Taxation of consumer-grade fireworks fee

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R.C. 5739.02(B) (65) and 5751.01(F) (2) (tt); Section 803.190

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Exempts the 4% fee on the sale of consumer-grade fireworks from sales and use tax, beginning October 1, 2023, so long as the fee is separately stated on the invoice, bill of sale, or similar document given by the vendor to the consumer for the retail sale.

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Authorizes a business, for commercial activity tax purposes, to exclude from its taxable gross receipts any separately stated collections of that fee, beginning for tax periods ending after the 90-day effective date.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 112 of the title, after "4513.17," insert "4516.01, 1
4516.02, 4516.05, 4516.06, 4516.08, 4516.09, 4516.10," 2

In line 532, after "4513.17," insert "4516.01, 4516.02, 3
4516.05, 4516.06, 4516.08, 4516.09, 4516.10," 4

After line 64773, insert: 5

"**Sec. 4516.01.** As used in this chapter: 6

(A) "Car sharing period" means the period of time that 7
commences with the car sharing delivery period or, if there is no 8
car sharing delivery period, with the car sharing start time, in 9
accordance with the peer-to-peer car sharing program agreement, 10
and ends with the car sharing termination time. 11

(B) "Car sharing delivery period" means the period of time in 12
which a shared vehicle is being delivered to the location for the 13
shared vehicle driver to take possession of the shared vehicle, in 14
accordance with the peer-to-peer car sharing program agreement. 15

(C) "Car sharing start time" means either the point in time 16
when the shared vehicle driver takes possession of the shared 17
vehicle or the point in time when the shared vehicle driver was 18
scheduled to take possession of the shared vehicle, whichever 19
occurs first. 20

(D) "Car sharing termination time" means the point in time 21
 when the earliest of the following events occurs: 22

(1) The expiration time established in the peer-to-peer car 23
 sharing program agreement for use of the shared vehicle, provided 24
 that the shared vehicle is returned to the location designated in 25
 the agreement by the expiration time; 26

(2) The shared vehicle is returned to an alternate location, 27
 if the shared vehicle owner and the shared vehicle driver agree on 28
 the alternate location, as communicated through the peer-to-peer 29
 car sharing program, and the alternate location is incorporated 30
into the peer-to-peer car sharing program agreement. 31

(3) The shared vehicle owner or the owner's designee takes 32
 possession of the shared vehicle. 33

(E) "Motor vehicle" has the same meaning as in section 34
 4509.01 of the Revised Code. 35

(F) "Motor-vehicle liability policy" has the same meaning as 36
 in section 4509.01 of the Revised Code. 37

(G) "Peer-to-peer car sharing" means the authorized use of a 38
 motor vehicle by an individual other than the motor vehicle's 39
 owner through a peer-to-peer car sharing program. 40

(H) "Peer-to-peer car sharing program" or "program" means a 41
 person who operates a business platform that connects a shared 42
 vehicle owner to a shared vehicle driver to enable the sharing of 43
 vehicles for financial consideration. "Peer-to-peer car sharing 44
 program" does not include a motor vehicle leasing dealer as 45
 defined in section 4517.01 of the Revised Code or a motor vehicle 46
 renting dealer as defined in section 4549.65 of the Revised Code. 47

(I) "Peer-to-peer car sharing program agreement" or 48
 "agreement" means an agreement established through the 49

peer-to-peer car sharing program that serves as a contract between 50
the peer-to-peer car sharing program, the shared vehicle owner, 51
and the shared vehicle driver and describes the specific terms and 52
conditions of the agreement, including the car sharing period and 53
the location or locations for transfer of possession. 54

(J) "Proof of financial responsibility" has the same meaning 55
as in section 4509.01 of the Revised Code. 56

(K) "Safety recall" means a recall issued pursuant to 49 57
U.S.C. 30118 pertaining to a defect related to motor vehicle 58
safety or noncompliance with an applicable federal motor vehicle 59
safety standard. 60

(L) "Shared vehicle" means a personal motor vehicle that is 61
registered as a passenger car under Chapter 4503. of the Revised 62
Code or a substantially similar law in another state and that is 63
enrolled in a peer-to-peer car sharing program. 64

(M) "Shared vehicle driver" means a person authorized by a 65
shared vehicle owner, in accordance with the terms and conditions 66
of a peer-to-peer car sharing program agreement, to operate a 67
shared vehicle during a car sharing period. 68

(N) "Shared vehicle owner" means a registered owner of a 69
shared vehicle or a person designated by the registered owner. 70

Sec. 4516.02. (A) A peer-to-peer car sharing program shall 71
collect ~~all of~~ the following information before entering into a 72
peer-to-peer car sharing program agreement including, but not 73
limited to: 74

(1) The name and address of the shared vehicle owner and the 75
shared vehicle driver; 76

(2) The driver's license number and state of issuance of the 77

shared vehicle driver; 78

~~(3) The name, address, driver's license number, and state of issuance of and any other person who will operate the shared vehicle during the car sharing period;~~ 79
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~~(4) Information regarding whether the shared vehicle owner and the shared vehicle driver have motor vehicle liability policy or other proof of financial responsibility and information related to that policy or proof and any policy limits;~~ 82
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~~(5) Whether the shared vehicle owner knows of any safety recalls regarding the shared vehicle;~~ 86
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~~(6) Verification that the shared vehicle is registered in accordance with the requirements established under Chapter 4503. of the Revised Code or a substantially similar law in another state.~~ 88
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~~(B) A peer to peer car sharing program shall not allow a peer to peer car sharing program agreement through its platform if the program knows that the person who will operate the shared vehicle is not a party to the agreement or knows that such a person does not have a valid driver's license.~~ 92
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~~(C) A peer to peer car sharing program shall not allow a peer to peer car sharing agreement through its platform if the shared vehicle that is the subject of the agreement is not registered.~~ 97
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~~(D) A peer-to-peer car sharing program shall collect, verify, and maintain records pertaining to the use of each shared vehicle enrolled in the program, including records pertaining to all of the following:~~ 101
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~~(1) The dates, times, and duration of time that the shared vehicle is in use through the program;~~ 105
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(2) ~~The dates, times, and duration of time that the shared vehicle driver possesses the shared vehicle through the program;~~ 107
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~~(3)~~ Any fees or other financial consideration paid by the shared vehicle driver; 109
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~~(4)~~(3) Any revenues or other financial consideration received by the shared vehicle owner; 111
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~~(5)~~(4) Any other information or data that is necessary to establish the car sharing period, including the car sharing delivery period, the car sharing start time, and the car sharing termination time, for the shared vehicle. 113
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~~(E)~~(1)(C)(1) The program shall provide the records required by division ~~(D)~~(B) of this section, upon request, to any shared vehicle owner, shared vehicle driver, the shared vehicle owner's insurer, or the shared vehicle driver's insurer for purposes of facilitating the investigation of a claim, incident, or accident. 117
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(2) Upon receipt of a valid warrant, the program shall provide the records required by division ~~(D)~~(B) of this section to law enforcement. 122
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~~(F)~~(D) The program shall retain records required by division ~~(D)~~(B) of this section regarding each car sharing period for not less than three years after the car sharing period. 125
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Sec. 4516.05. (A) When a motor vehicle owner registers as a shared vehicle owner with a peer-to-peer car sharing program and before the shared vehicle owner makes the shared vehicle available for peer-to-peer car sharing, the program shall do all of the following: 128
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(1) Verify that the shared vehicle does not have any outstanding safety recalls on the vehicle; 133
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(2) Provide notice to the shared vehicle owner of the owner's responsibilities under division (B) of this section. 135
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(B)(1) If a shared vehicle owner receives actual notice of a safety recall on the shared vehicle, the shared vehicle owner shall not make the shared vehicle available through a peer-to-peer car sharing program until the safety recall repair is made. 137
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(2) If the shared vehicle owner receives actual notice of a safety recall on the shared vehicle after the shared vehicle is available through a peer-to-peer car sharing program but while the shared vehicle is not currently possessed by a shared vehicle driver, the shared vehicle owner shall remove the shared vehicle from availability until the safety recall repair is made. 141
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(3) If the shared vehicle owner receives actual notice of a safety recall on the shared vehicle while the vehicle is possessed by a shared vehicle driver, the shared vehicle owner shall notify the peer-to-peer car sharing program about the safety recall, so that the car sharing period can be terminated to allow the shared vehicle owner to address the safety recall repair. 147
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~~(C) The peer to peer car sharing program shall establish commercially reasonable procedures to determine any safety recalls that apply to a shared vehicle registered with the program after the initial registration of the shared vehicle with the program.~~ 153
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Sec. 4516.06. ~~(A) Peer to peer~~ Nothing in this chapter shall be construed to exempt any person involved in peer-to-peer car sharing and a peer to peer car sharing program agreement are a consumer transaction for purposes from the provisions of sections 1345.01 to 1345.13 of the Revised Code. The peer to peer car sharing program and the shared vehicle owner are the suppliers and the shared vehicle driver is the consumer for purposes of those 157
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~~sections.~~ 164

~~(B) A peer to peer car sharing program is not liable for a violation under sections 1345.01 to 1345.13 of the Revised Code when the alleged violation is the result of false, misleading, or inaccurate information provided to the program by a shared vehicle owner or a shared vehicle driver and the program relied on that information in good faith.~~ 165
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Sec. 4516.08. (A) It is not the intent of the general assembly that any provision in Chapter 4516. of the Revised Code be interpreted as either limiting or restricting an insurer's ability to exclude insurance coverage from any insurance policy or an insurer's ability to underwrite any insurance policy. 171
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(B) An insurer's ability to exclude or limit coverage and to otherwise underwrite a policy of insurance includes, but is not limited to, all of the following: 176
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(1) Liability coverage for bodily injury and property damage; 179

(2) Uninsured or underinsured motorist coverage; 180

(3) Medical payments coverage; 181

(4) Comprehensive physical damage coverage; 182

(5) Collision physical damage coverage; 183

(6) Loss of earnings coverage. 184

(C) Nothing in this chapter is intended to invalidate or limit an exclusion contained in a policy of motor vehicle liability insurance, including any insurance policy that is in use or that is approved for use that excludes coverage while a motor vehicle is made available for rent, share, hire, or during any business use. 185
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Sec. 4516.09. (A) Except as provided in division (B) of this section, a peer-to-peer car sharing program shall assume liability of a shared vehicle owner for any death, bodily injury, or property damage to a third party or an uninsured or underinsured motorist that is proximately caused by the operation of the shared vehicle during the car sharing period in an amount stated in the peer-to-peer car sharing program agreement. The amount shall be not less than that specified in division (A)(1) of section 4516.10 of the Revised Code.

(B) The assumption of liability under division (A) of this section does not apply if either of the following occurs:

(1) The shared vehicle owner makes an intentional or fraudulent material misrepresentation or omission to the program regarding the shared vehicle owner's motor-vehicle liability policy, other proof of financial responsibility, or the type or condition of the shared vehicle before the car sharing period in which the loss occurs;

(2) The shared vehicle owner and the shared vehicle driver conspire to have the shared vehicle driver fail to return the shared vehicle, in violation of the terms of the peer-to-peer car sharing agreement.

(C) A peer-to-peer car sharing program shall have either a policy of insurance or a self-insurance mechanism in order to cover its liabilities and obligations under this section and sections 4516.10 and 4516.11 of the Revised Code.

Sec. 4516.10. (A)(1) A peer-to-peer car sharing program shall ensure that, during each car sharing period, the shared vehicle owner and the shared vehicle driver are each covered by a

motor-vehicle liability policy or other proof of financial 219
responsibility ~~that recognizes their status as a shared vehicle~~ 220
~~owner or shared vehicle driver and provides coverage for the~~ 221
~~operation of the shared vehicle during the car sharing period.~~ 222
Each policy or proof shall ~~be maintained in the following amounts~~ 223
provide coverage in an amount that is not less than the amounts 224
specified in section 4509.51 of the Revised Code. The policy or 225
proof shall do either of the following: 226

(a) ~~At least twenty five thousand dollars because of bodily~~ 227
~~injury to or death of one person in any one accident~~ Recognize 228
~~that the motor vehicle insured under the policy or proof is a~~ 229
shared vehicle; 230

(b) ~~At least fifty thousand dollars because of bodily injury~~ 231
~~or death of two or more persons in any one accident;~~ 232

(c) ~~At least twenty five thousand dollars because of injury~~ 233
~~to property of others in any one accident~~ Not expressly exclude 234
~~the use of the motor vehicle insured under the policy or proof as~~ 235
a shared vehicle by a shared vehicle driver. 236

(2) The insurance required by division (A)(1) of this section 237
may be satisfied by any of the following or a combination of any 238
of the following: 239

(a) A motor-vehicle liability policy or other proof of 240
financial responsibility that is maintained by the shared vehicle 241
owner; 242

(b) A motor-vehicle liability policy or other proof of 243
financial responsibility that is maintained by the shared vehicle 244
driver; 245

(c) A motor-vehicle liability policy or other proof of 246
financial responsibility that is maintained by the peer-to-peer 247

car sharing program.

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(3)(a) Whichever motor-vehicle liability policy or other proof of financial responsibility under division (A)(2) of this section that is satisfying the insurance required under division (A)(1) of this section as specified in the peer-to-peer car sharing program agreement is the primary insurance during each car sharing period.

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(b) If a claim occurs in a state with minimum proof of financial responsibility limits higher than those specified in section 4509.51 of the Revised Code, the motor-vehicle liability policy or other proof of financial responsibility that is maintained by the peer-to-peer car sharing program under division (A)(2)(c) of this section shall satisfy any difference in minimum coverage amounts, up to the applicable policy limits.

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(c) Except as provided by division (A) of section 4516.11 of the Revised Code, the person or entity providing the primary insurance under division (A)(3)(a) of this section shall assume primary liability for a claim when either of the following occurs:

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(i) A dispute exists as to who was operating the shared vehicle at the time of the loss, and the peer-to-peer car sharing program does not have available, did not retain, or fails to provide the records required by section 4516.02 of the Revised Code.

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(ii) A dispute exists as to whether the shared vehicle was returned to the originally agreed upon location or an alternatively agreed upon location for transfer of possession in accordance with the peer-to-peer car sharing program agreement.

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(4)(a) If the motor-vehicle liability policy or other proof of financial responsibility maintained by a shared vehicle owner

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or shared vehicle driver does not provide liability coverage for 277
peer-to-peer car sharing in the amounts required by division 278
(A)(1) of this section, the insurance maintained by the 279
peer-to-peer car sharing program shall provide the required 280
coverage, beginning with the first dollar of the claim and shall 281
have the duty to defend the claim. 282

(b) A motor-vehicle liability policy or other proof of 283
financial responsibility maintained by a peer-to-peer car sharing 284
program in accordance with this section shall not require the 285
shared vehicle owner's or shared vehicle driver's insurer to first 286
deny a claim before providing coverage. 287

(B) A motor-vehicle liability policy that meets the 288
requirements of this section satisfies the requirement for proof 289
of financial responsibility for motor vehicles under Chapter 4509. 290
of the Revised Code. 291

~~(C)(1) The peer to peer car sharing program shall examine the 292
motor vehicle liability policy or other proof of financial 293
responsibility maintained by a shared vehicle owner or a shared 294
vehicle driver to determine whether that policy or proof provides 295
or excludes coverage for peer to peer car sharing prior to 296
entering into a peer to peer car sharing agreement with that 297
shared vehicle owner or shared vehicle driver if either of the 298
following occur:~~ 299

~~(a) The shared vehicle owner or the shared vehicle driver 300
refuses insurance coverage provided by the program. 301~~

~~(b) The shared vehicle owner or the shared vehicle driver 302
claims the policy or proof maintained by that shared vehicle owner 303
or shared vehicle driver provides coverage for peer to peer car 304
sharing. 305~~

~~(2) The peer to peer car sharing program may require 306~~

~~increased limits of insurance beyond what is required by division
 (A)(1) of this section as a condition of participation in the
 agreement."~~ 307
 308
 309

In line 101312, after "4513.17" insert "4516.01, 4516.02,
 4516.05, 4516.06, 4516.08, 4516.09, 4516.10," 310
 311

The motion was _____ agreed to.

SYNOPSIS

Peer-to-peer car sharing program changes 312

R.C. 4516.01, 4516.02, 4516.05, and 4516.06 313

Specifies that when an alternative location for return of a 314
 shared vehicle is agreed to by the parties, the new location must 315
 be incorporated into the peer-to-peer car sharing program 316
 agreement in order to trigger the car sharing termination time. 317

Removes the requirements that the peer-to-peer car sharing 318
 program collect all of the following information: 319

- The name and address of any alternative drivers; 320

- Information regarding auto insurance held by the shared 321
 vehicle owner and shared vehicle drivers; 322

- Information regarding whether the shared vehicle owner 323
 knows of any safety recalls on the shared vehicle; and 324

- Verification that the shared vehicle is properly registered 325
 in either Ohio or another state. 326

Eliminates the prohibitions that require a peer-to-peer car 327
 sharing program to: 328

1. Not allow a peer-to-peer car sharing agreement through its platform if it knows that the person driving the shared vehicle is not a party to the agreement or does not have a valid driver's license; and

2. Not allow an unregistered shared vehicle on its platform.

Removes the requirement that a peer-to-peer car sharing program collect, verify, and maintain records pertaining to the dates, times, and duration of time that the shared vehicle driver possesses the shared vehicle through the program.

Removes the requirement that the peer-to-peer car sharing program establish commercially reasonable procedures to determine any safety recalls that apply to a shared vehicle registered with the program after initial registration.

Specifies that peer-to-peer car sharing is generally subject to the laws governing consumer sales practices, but removes current law specifications regarding the roles of each party to the agreements within those laws.

Insurance and peer-to-peer car sharing

R.C. 4516.08, 4516.09, and 4516.10

Expands on the general statement within the peer-to-peer car sharing provisions that an insurer may limit, restrict, or exclude coverage of a shared vehicle within its insurance policies.

Expressly requires a peer-to-peer car sharing program to have a policy of insurance or a self-insurance mechanism to cover its statutory insurance obligations.

Designates the party that is providing the auto insurance during the peer-to-peer car sharing period (owner, driver, or program) as specified in the agreement as the "primary insurance."

Requires the peer-to-peer car sharing program to provide the 357
 difference in coverage if an Ohio shared vehicle is operated in a 358
 state with higher minimum coverage amounts. 359

Requires the primary insurance to cover a claim when either a 360
 dispute exists as to who was the operator at the time of the loss 361
 or whether the shared vehicle was returned to the proper location. 362

Removes the requirement that the peer-to-peer car sharing 363
 program examine the insurance policy of the shared vehicle owner 364
 or shared vehicle driver (to determine if car sharing coverage is 365
 excluded) if the owner or driver refuses coverage provided by the 366
 program. 367

_____ moved to amend as follows:

1 In line 83418, strike through "(B) If" and insert "(B) (1)
2 Except as otherwise provided in this section, if"

3 After line 83428, insert:

4 "(2) If a board of county commissioners is unable to
5 appoint at least one individual who is eligible to receive
6 services provided by the county board in accordance with
7 division (B) (1) of this section, the board of county
8 commissioners shall submit an explanation to the president of
9 the county board of developmental disabilities explaining why
10 the appointment could not be made, before appointing an
11 individual who otherwise fulfills the requirements of this
12 section."

13 In line 83429, strike through "(C)" and insert "(C) (1)"

14 In line 83430, after "individual" insert "who is eligible
15 to receive services provided by the county board or"

16 After line 83432, insert:

17 "(2) If a senior probate judge appoints an individual who
18 is eligible to receive services provided by a county board under
19 division (C) (1) of this section, that appointment satisfies the

20 requirement under division (B)(1) of this section that a board
21 of county commissioners appoint at least one such individual."

22 The motion was _____ agreed to.

23 SYNOPSIS

24 **County DD board membership**

25 **R.C. 5126.022**

26 Permits, if a board of county commissioners is unable to
27 appoint to the county DD board at least one individual who is
28 eligible to receive services from the county DD board as
29 required by the Executive version, the board to instead appoint
30 another individual if it provides an explanation to the county
31 DD board explaining why appointment of an eligible individual
32 was not possible.

33 Permits a senior probate judge to appoint an individual who
34 is eligible to receive services (in addition to a judge's
35 current law authority to appoint an immediate family member of
36 an individual eligible for residential services or supported
37 living), and provides that if the senior judge appoints an
38 eligible individual, that appointment satisfies the Executive
39 version's requirement that the board of county commissioners
40 appoint an eligible individual to the county DD board.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

- In line 207 of the title, delete the period and insert a
comma 1
2
- In line 430 of the title, delete "and to amend Sections
280.12" 3
4
- Delete line 431 of the title 5
- In line 432 of the title, delete "Assembly;" 6
- In line 439 of the title, after the semicolon insert "to
amend Sections 280.12 and 280.28 of H.B. 45 of the 134th General
Assembly;" 7
8
9
- In line 7263, delete "and one-half"; after "million" insert
"five hundred thousand" 10
11
- In line 14297, strike through "services" 12
- In line 45062, strike through ", including the performance of
the chancellor of higher" 13
14
- In line 45063, strike through "education" 15
- In line 90775, strike through "services" 16
- In line 90777, strike through "of development" 17
- In line 90778, strike through "services" 18
- In line 95590, delete "or (b) to pay, if authorized in the" 19

regulations, for 20

Delete line 95591 21

In line 95592, delete "5739.101 of the Revised Code" 22

In line 101250, delete "718.07," and insert "718.01," 23

In line 102111, delete "0" and insert "1" 24

In line 104838, delete "are" and insert "is" 25

In line 104839, delete "are" and insert "is" 26

After line 104846, insert: 27

"**Section 125.11.** That Sections 2, 3, and 8 of H.B. 509 of the 28
134th General Assembly be amended to read as follows: 29

Sec. 2. That existing sections 109.572, 169.16, 1716.05, 30
1716.08, 1716.99, 2925.01, 3310.41, 3319.22, 3701.74, 3737.881, 31
3772.13, 3772.131, 3905.471, 3905.81, 4709.07, 4709.10, 4713.28, 32
4715.13, 4715.141, 4715.21, 4715.25, ~~4717.01, 4717.02, 4717.03,~~ 33
~~4717.04,~~ 4717.05, ~~4717.06, 4717.07, 4717.08,~~ 4717.09, ~~4717.11,~~ 34
~~4717.13, 4717.15, 4717.36, 4717.41,~~ 4723.01, 4723.07, 4723.08, 35
4723.091, 4723.092, 4723.114, 4723.18, 4723.181, 4723.35, 4723.48, 36
4723.481, 4723.50, 4723.72, 4723.73, 4723.75, 4723.79, 4725.01, 37
4725.011, 4725.02, 4725.07, 4725.09, 4725.091, 4725.092, 4725.12, 38
4725.13, 4725.15, 4725.16, 4725.18, 4725.19, 4725.20, 4725.24, 39
4725.27, 4725.34, 4725.35, 4725.40, 4725.41, 4725.44, 4725.48, 40
4725.49, 4725.50, 4725.51, 4725.52, 4725.53, 4725.63, 4725.66, 41
4725.67, 4729.01, 4729.12, 4729.15, 4731.16, 4731.17, 4731.19, 42
4732.01, 4732.02, 4732.05, 4732.09, 4732.10, 4732.11, 4732.12, 43
4732.13, 4732.14, 4732.141, 4732.142, 4732.17, 4732.171, 4732.173, 44
4732.18, 4732.19, 4732.20, 4732.21, 4732.22, 4732.221, 4732.24, 45
4732.31, 4732.33, 4734.211, 4735.27, 4741.17, 4743.09, 4749.03, 46

4751.01, 4751.10, 4751.101, 4751.102, 4751.20, 4751.23, 4751.24, 47
 4751.32, 4751.33, 4751.40, 4751.41, 4751.45, 4753.06, 4753.071, 48
 4753.12, 4755.01, 4755.062, 4757.02, 4757.22, 4757.27, 4757.301, 49
 4757.33, 4757.41, 4758.20, 4758.26, 4758.51, 4765.10, 4765.11, 50
 4765.15, 4765.16, 4765.17, 4765.18, 4765.22, 4765.23, 4765.24, 51
 4765.29, 4765.30, 4765.31, 4765.49, 4765.50, 4765.55, 4769.01, 52
 4779.03, 4779.10, 4779.11, 4779.12, 4779.13, 4779.17, 5126.22, 53
 5126.25, and 5164.95 of the Revised Code are hereby repealed. 54

Sec. 3. That sections 3319.2212, ~~4717.051~~, 4723.17, 4723.19, 55
 4723.76, 4725.14, 4725.17, 4725.171, 4725.58, 4751.202, and 56
 4779.18 of the Revised Code are hereby repealed. 57

Sec. 8. ~~(A) The repeal by this act of section 4717.051 of the~~ 58
~~Revised Code takes effect December 31, 2024.~~ 59

~~(B) The amendment by this act H.B. 509 of the 134th General~~ 60
~~Assembly of sections 4717.01, 4717.02, 4717.03, 4717.04, 4717.06,~~ 61
~~4717.07, 4717.08, section 4717.09, 4717.11, 4717.13, 4717.15,~~ 62
~~4717.36, and 4717.41 of the Revised Code takes effect December 31,~~ 63
~~2024.~~ 64

Section 125.12. That existing Sections 2, 3, and 8 of H.B. 65
 509 of the 134th General Assembly are hereby repealed. 66

Section 125.13. Sections 125.11 and 125.12 of this act remove 67
 the limitations imposed on the continued existence of sections 68
 4717.01, 4717.02, 4717.03, 4717.04, 4717.051, 4717.06, 4717.07, 69
 4717.08, 4717.11, 4717.13, 4717.15, 4717.36, and 4717.41 of the 70
 Revised Code." 71

In line 150087, delete "\$250,000 in each fiscal year" 72

In line 151263, delete "COAL RESEARCH AND DEVELOPMENT" 73

PROGRAM"	74
Delete lines 151264 through 151267	75
Delete lines 151295 through 151304	76
Move lines 152178 and 152178a of the bill to after line	77
152172a	78
In line 153533, delete "LITEARCY" and insert "LITERACY"	79
In line 153535, after the comma insert "up to"	80
In line 153644, delete " 265.409. " and insert " 265.375. "	81
Move lines 153644 through 153663 of the bill to after line	82
153551	83
In line 154705, delete "\$15,000,000 \$15,000,000" and insert	84
"\$14,500,000 \$14,500,000"	85
In line 154720, subtract \$500,000 from each fiscal year	86
In line 154748, subtract \$500,000 from each fiscal year	87
After line 157003, insert:	88
"4750 336623 Statewide Treatment and Prevention \$22,799,190	89
\$22,799,190"	90
In line 157015, add \$22,799,190 to each fiscal year	91
In line 157033, add \$22,799,190 to each fiscal year	92
Move lines 158461 through 158483 of the bill to after line	93
158455	94
In line 160790, delete "110981" and insert "110907"	95
In line 162597, delete "5ZV0" and insert "5ZU0"	96
In line 162603, after "Grant" insert "Fund"	97
In line 162611, after "Fund" insert "(Fund 5AC1)"	98

Delete lines 163081 through 163124 99

In line 163549, delete "4303.187" and insert "4303.188" 100

The motion was _____ agreed to.

SYNOPSIS

LSC Technical Amendment 101

R.C. 122.85, 308.21, 3333.032, 5709.73, and 5739.09; Sections 102

101.02, 110.20, 110.31, 125.11, 125.12, 125.13, 209.30, 259.20, 103

265.10, 265.355, 265.375, 265.409, 291.10, 337.10, 373.20, 387.10, 104

513.10, 610.40, 610.41, 610.42, and 803.120 105

Corrects placement and typographical errors of section 106

numbers in the title and existing repeal clause; corrects outdated 107

references to the Department and Director of Development; 108

eliminates a redundant reporting requirement for the Department of 109

Higher Education's annual report regarding the condition of higher 110

education; clarifies intent for certain appropriations; removes 111

uncodified law for appropriations no longer in the bill; corrects 112

proper fund numbers, names, and totals; corrects the order in 113

which certain funds appear in the appropriations tables and budget 114

language of the bill; and corrects other typographical errors. 115

_____ moved to amend as follows:

1 After line 151630, insert:

2 "Of the foregoing appropriation item 1956G2, Downtown
3 Development Grant, \$3,000,000 in fiscal year 2024 shall be
4 allocated to Cleveland Neighborhood Progress for the Middle
5 Neighborhood Investment Project." In line 151631, delete
6 "foregoing" and insert "remainder of"

7 In line 151634, delete "Of the" and insert "The"

8 In line 151635, delete "appropriated, \$50,000,000 in fiscal
9 year 2024"; delete "in" and insert "equally to"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Department of Development**

13 **Section 259.30**

14 Earmarks \$3,000,000 in fiscal year 2024 under Downtown
15 Development Grant Fund (Fund 5ZU0) 1956G2, Downtown Development
16 Grant, for Cleveland Neighborhood Progress for the Middle
17 Neighborhood Investment Project.

_____ moved to amend as follows:

1 After line 157967, insert:

2 "GRF 415XXX DeafBlind Fund \$100,000 \$100,000"

3 In line 157968, add \$100,000 to each fiscal year

4 In line 157989, add \$100,000 to each fiscal year

5 After line 158026, insert:

6 "DEAFBLIND FUND

7 The foregoing appropriation item 415XXX, DeafBlind Fund,
8 shall be distributed to the Columbus Speech and Hearing Center.
9 Funds shall be used to establish a pilot program for the
10 recruitment and training of support service providers and to
11 connect support service providers with DeafBlind individuals.
12 The Columbus Speech and Hearing Center shall establish
13 guidelines to determine eligibility for services provided by
14 support service providers through the pilot program."

15 The motion was _____ agreed to.

16

SYNOPSIS

17

Opportunities for Ohioans with Disabilities Agency

18

Sections 353.10 and 353.20

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Appropriates \$100,000 in each fiscal year in new GRF ALI 415XXX, DeafBlind Fund. Requires funds to be distributed to the Columbus Speech and Hearing Center. Requires funds to be used to establish a pilot program for the recruitment and training of support service providers and to connect support service providers with DeafBlind individuals. Requires the Columbus Speech and Hearing Center to establish guidelines to determine eligibility for services provided by support service providers through the pilot program.

_____ moved to amend as follows:

1 After line 155413, insert:

2 "Of the foregoing appropriation item 600689, TANF Block
3 Grant, \$2,800,000 in each fiscal year shall be provided, in
4 accordance with sections 5101.80 and 5101.801 of the Revised
5 Code, to Open Doors Academy to support out-of-school programs in
6 northeast Ohio, Lima, Sandusky, and Mansfield, and to support
7 other additional locations in the state."

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Department of Job and Family Services**

11 **Section 307.80**

12 Earmarks \$2,800,000 in each fiscal year in Fund 3V60 ALI
13 600689, TANF Block Grant, to be provided to Open Doors Academy.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 147 of the title, after "5162.01," insert "5162.20," 1

In line 214 of the title, after "5164.072," insert "5164.11," 2

In line 558, after "5162.01," insert "5162.20," 3

In line 608, after "5164.072," insert "5164.11," 4

After line 84463, insert: 5

"**Sec. 5162.20.** (A) The department of medicaid shall institute 6
cost-sharing requirements for the medicaid program. The department 7
shall not institute cost-sharing requirements in a manner that 8
does either of the following: 9

(1) Disproportionately impacts the ability of medicaid 10
recipients with chronic illnesses to obtain medically necessary 11
medicaid services; 12

(2) Violates ~~section~~ sections 5164.09 ~~or 5164.10~~ to 5164.11 13
of the Revised Code. 14

(B)(1) No provider shall refuse to provide a service to a 15
medicaid recipient who is unable to pay a required copayment for 16
the service. 17

(2) Division (B)(1) of this section shall not be considered 18
to do either of the following with regard to a medicaid recipient 19

who is unable to pay a required copayment: 20

(a) Relieve the medicaid recipient from the obligation to pay 21
a copayment; 22

(b) Prohibit the provider from attempting to collect an 23
unpaid copayment. 24

(C) Except as provided in division (F) of this section, no 25
provider shall waive a medicaid recipient's obligation to pay the 26
provider a copayment. 27

(D) No provider or drug manufacturer, including the 28
manufacturer's representative, employee, independent contractor, 29
or agent, shall pay any copayment on behalf of a medicaid 30
recipient. 31

(E) If it is the routine business practice of a provider to 32
refuse service to any individual who owes an outstanding debt to 33
the provider, the provider may consider an unpaid copayment 34
imposed by the cost-sharing requirements as an outstanding debt 35
and may refuse service to a medicaid recipient who owes the 36
provider an outstanding debt. If the provider intends to refuse 37
service to a medicaid recipient who owes the provider an 38
outstanding debt, the provider shall notify the recipient of the 39
provider's intent to refuse service. 40

(F) In the case of a provider that is a hospital, the 41
cost-sharing program shall permit the hospital to take action to 42
collect a copayment by providing, at the time services are 43
rendered to a medicaid recipient, notice that a copayment may be 44
owed. If the hospital provides the notice and chooses not to take 45
any further action to pursue collection of the copayment, the 46
prohibition against waiving copayments specified in division (C) 47
of this section does not apply. 48

(G) The department of medicaid may collaborate with a state agency that is administering, pursuant to a contract entered into under section 5162.35 of the Revised Code, one or more components, or one or more aspects of a component, of the medicaid program as necessary for the state agency to apply the cost-sharing requirements to the components or aspects of a component that the state agency administers."

After line 84667, insert:

"Sec. 5164.11. (A) The medicaid program shall cover treatment for obesity, including coverage of all of the following:

(1) Prevention and wellness services;

(2) Nutrition counseling;

(3) Intensive behavioral therapy;

(4) Bariatric surgery and follow-up services;

(5) Prescription drugs to treat overweight and obesity, approved by the United States food and drug administration with an indication for chronic weight management in patients with obesity.

(B) The department of medicaid shall not impose any of the following conditions with respect to the coverage required by this section:

(1) Limits on coverage for the treatment of obesity that are different from the coverage for the treatment of other illnesses, conditions, or disorders, including annual or lifetime limits on treatments for obesity;

(2) Cost sharing requirements under section 5162.20 of the Revised Code;

(3) With respect to the drugs described in division (A)(5) of

this section, coverage restrictions that are more restrictive than 76
the indicated use for the drug. 77

(C) The department may impose utilization review requirements 78
to determine the medical necessity for covered treatment under 79
this section. Any utilization review requirements established in 80
accordance with this section shall be the same as utilization 81
review requirements imposed for the treatment of any other 82
illness, condition, or disorder. 83

(D) With respect to the coverage required by this section, 84
the department of medicaid shall do both of the following: 85

(1) Inform medicaid recipients in writing and in other 86
correspondence to recipients about the coverage availability; 87

(2) Market the coverage to medicaid recipients in annual 88
information notices." 89

In line 87874, after "5164.10," insert "5164.11," 90

In line 101338, after "5162.01," insert "5162.20," 91

The motion was _____ agreed to.

SYNOPSIS

Medicaid coverage of obesity treatment 92

R.C. 5162.20, 5164.11, and 5167.12 93

Requires the Medicaid program to cover obesity. 94

Prohibits the coverage from doing any of the following: 95

-- Establishing coverage limits that are different from the 96
coverage of any other illness, condition, or disorder. 97

-- Imposing cost sharing requirements.	98
-- Establishing coverage restrictions for drugs to treat obesity approved by the FDA that are more restrictive than FDA indications for the drug.	99 100 101
Permits ODM to establish utilization review requirements for coverage of treatment for obesity so long as specified conditions are satisfied.	102 103 104
Requires ODM to inform Medicaid recipients of the coverage.	105

_____ moved to amend as follows:

1 After line 151397, insert:

2 "An amount equal to the unexpended, unencumbered portion of
3 appropriation item 195503, Local Development Projects, used to
4 support Fulton County or Fulton County Land Reutilization
5 Corporation for a program to demolish vacant commercial,
6 industrial, or residential buildings located in Fulton County at
7 the end of fiscal year 2023 is hereby reappropriated in fiscal
8 year 2024."

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Department of Development**

12 **Section 259.20**

13 Reappropriates the available balance of GRF ALI 195503,
14 Local Development Projects, earmarked for Fulton County or
15 Fulton County Land Reutilization Corporation under H.B. 110 of
16 the 134th General Assembly to run a vacant commercial and
17 industrial buildings demolition program in that county remaining
18 at the end of FY 2023 for the same purpose in FY 2024. Also
19 makes vacant residential buildings in Fulton County eligible for
20 funding under the demolition program.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

- In line 91 of the title, after "3745.11," insert "3748.03." 1
- In line 200 of the title, after "3742.11," insert "3748.23," 2
- In line 201 of the title, after "4141.02," insert "4164.01, 3
4164.02, 4164.04, 4164.05, 4164.051, 4164.052, 4164.053, 4164.07, 4
4164.08, 4164.09, 4164.091, 4164.092, 4164.093, 4164.094, 5
4164.096, 4164.097, 4164.098, 4164.099, 4164.0911, 4164.0912, 6
4164.0913, 4164.0914, 4164.0916, 4164.0917, 4164.0918, 4164.10, 7
4164.11, 4164.12, 4164.13, 4164.15, 4164.16, 4164.18, 4164.19, 8
4164.20," 9
- In line 517, after "3745.11," insert "3748.03," 10
- In line 597, after "3742.11," insert "3748.23," 11
- In line 598, after "4141.02," insert "4164.01, 4164.02, 12
4164.04, 4164.05, 4164.051, 4164.052, 4164.053, 4164.07, 4164.08, 13
4164.09, 4164.091, 4164.092, 4164.093, 4164.094, 4164.096, 14
4164.097, 4164.098, 4164.099, 4164.0911, 4164.0912, 4164.0913, 15
4164.0914, 4164.0916, 4164.0917, 4164.0918, 4164.10, 4164.11, 16
4164.12, 4164.13, 4164.15, 4164.16, 4164.18, 4164.19, 4164.20," 17
- After line 54765, insert: 18
- "**Sec. 3748.03.** ~~(A)(1)~~(A)(1)(a) The governor, on behalf of the 19
state, may enter into agreements with the United States nuclear 20

regulatory commission as authorized by section 274(b) of the 21
 "Atomic Energy Act of 1954," 68 Stat. 919, 42 U.S.C.A. 2011, as 22
 amended, for the discontinuation of specified licensing and 23
 related regulatory authority of the commission with respect to 24
 byproduct material, source material, the commercial disposal of 25
 low-level radioactive waste, and special nuclear material in 26
 quantities not sufficient to form a critical mass and the 27
 assumption of that authority by the state. 28

(b) The governor, on behalf of the state, may also enter into 29
agreements described in division (A)(1)(a) of this section with 30
the the United States department of energy or branches of the 31
United States military. 32

(2) The governor shall appoint a state liaison officer to the 33
 United States nuclear regulatory commission, who shall serve at 34
 the pleasure of the governor. 35

~~(B) The general assembly hereby designates the department of 36~~
~~health, in addition to the Ohio nuclear development authority as 37~~
~~the agency authorized to by division (F) of section 4164.11 of the 38~~
~~Revised Code, may pursue agreement state status, on behalf of the 39~~
 governor, for the assumption by the state of specified licensing 40
 and related regulatory authority from the commission pursuant to 41
 division (A) of this section. The department shall and the Ohio 42
nuclear development authority may enter into negotiations with the 43
 commission for that purpose. 44

(C) Any person who, on the effective date of an agreement 45
 entered into by the state and the commission pursuant to divisions 46
 (A) and (B) of this section, holds a license issued by the 47
 commission for radioactive materials that are subject to the 48
 agreement is deemed to hold a license issued under this chapter 49
 and rules adopted under it. That license shall expire ninety days 50

after the holder receives a notice of expiration from the 51
 department or on the date of expiration specified in the license 52
 issued by the commission, whichever is later, provided that no 53
 such license shall expire during the ninety days immediately 54
 following the effective date of the agreement. 55

Sec. 3748.23. The rules adopted under this chapter shall 56
neither conflict with nor supersede the rules adopted under 57
Chapter 4164. of the Revised Code." 58

After line 58975, insert: 59

"Sec. 4164.01. As used in this chapter, unless the context 60
otherwise requires: 61

(A) "Authority" means the Ohio nuclear development authority 62
created and constituted under section 4164.04 of the Revised Code. 63

(B) "Council" means the Ohio nuclear development authority 64
nominating council created and constituted under section 4164.09 65
of the Revised Code. 66

Sec. 4164.02. It is the intent of the general assembly in 67
enacting this chapter of the Revised Code to encourage its use as 68
a model for future legislation to further the pursuit of 69
innovative research and development for any industry in this 70
state. 71

Sec. 4164.04. There is hereby created and constituted within 72
the department of development, the Ohio nuclear development 73
authority. The authority's exercise of powers conferred by this 74
chapter is the performance of an essential governmental function 75
and addresses matters of public necessity for which public moneys 76
may be spent. 77

Sec. 4164.05. (A) The authority shall consist of nine members 78
appointed by the governor, representing the following three 79
stakeholder groups within the 80
nuclear-engineering-and-manufacturing industry: 81

(1) Safety; 82

(2) Industry; 83

(3) Engineering research and development. 84

(B)(1) A member appointed from the safety group shall hold at 85
least a bachelor's degree in nuclear, mechanical, chemical, or 86
electrical engineering and at least one of the following shall 87
also apply: 88

(a) The member is a recognized professional in 89
nuclear-reactor safety or developing ISO 9000 standards. 90

(b) The member has been employed by or has worked closely 91
with the United States department of energy or the nuclear 92
regulatory commission and the member also has a professional 93
background in nuclear-energy-technology development or 94
advanced-nuclear-reactor concepts. 95

(c) The member has been employed by a contractor that has 96
built concept reactors and the member also worked with hazardous 97
substances, either nuclear or chemical, during that employment. 98

(2) A member appointed from the industry group shall have at 99
least five years of experience in one or more of the following: 100

(a) Nuclear-power-plant operation; 101

(b) Processing and extracting isotopes; 102

(c) Managing a facility that deals with hazardous substances, 103
either nuclear or chemical; 104

(d) Handling and storing nuclear waste. 105

(3) A member appointed from the engineering research and development group shall hold at least a bachelor's degree in nuclear, mechanical, chemical, or electrical engineering and the member shall also be a recognized professional in at least one of the following areas of study: 106
107
108
109
110

(a) Advanced nuclear reactors; 111

(b) Materials science involving the study of alloys and metallurgy, ceramics, or composites; 112
113

(c) Molten-salt chemistry; 114

(d) Solid-state chemistry; 115

(e) Chemical physics; 116

(f) Actinide chemistry; 117

(g) Instrumentation and sensors; 118

(h) Control systems. 119

(C) The members shall be United States citizens and residents of this state. 120
121

(D) The members shall serve five-year terms. 122

(E) Any appointment to fill a vacancy on the authority shall be made for the unexpired term of the member whose death, resignation, or removal created the vacancy. 123
124
125

(F) Initial appointments under this section shall be made not later than one hundred twenty days after the effective date of this section. 126
127
128

Sec. 4164.051. The governor shall appoint members, and fill vacancies in the membership, of the authority from lists of 129
130

nominees recommended by the council. The governor shall fill a 131
vacancy not later than thirty days after receipt of the council's 132
recommendations. 133

Sec. 4164.052. The governor, in the governor's discretion, 134
may reject all of the nominees recommended by the council and 135
reconvene the council for it to recommend additional nominees. If 136
the governor reconvenes the council and the council provides a 137
second list of nominees, the governor shall make the required 138
appointment from one of the names on the first or second list. 139

Sec. 4164.053. All appointments by the governor to the 140
authority are subject to the advice and consent of the senate. 141

Sec. 4164.07. Immediately after appointment to the authority 142
under section 4164.05 of the Revised Code, the members shall enter 143
upon the performance of their duties. 144

Sec. 4164.08. Notwithstanding any law to the contrary, no 145
officer or employee of this state shall be deemed to have 146
forfeited, or shall have forfeited, the officer's or employee's 147
office or employment due to acceptance of membership on the 148
authority or by providing service to the authority. 149

Sec. 4164.09. There is hereby created the Ohio nuclear 150
development authority nominating council. 151

Sec. 4164.091. The council shall review, evaluate, and make 152
recommendations to the governor regarding potential appointees to 153
serve as members of the authority. 154

Sec. 4164.092. (A) Consistent with division (B) of section 155

4164.05 of the Revised Code, and for the purpose of making initial 156
and subsequent appointments, and for filling vacancies, the 157
council shall provide the governor with a list of individuals who 158
are, in the judgment of the council, the most fully qualified to 159
become members of the authority. 160

(B) For each initial appointment, and for each subsequent or 161
vacancy appointment, the council shall provide a list of four 162
possible appointees. 163

(C) The council shall provide the lists at the following 164
times: 165

(1) For each subsequent appointment, not more than 166
eighty-five, nor less than sixty, days before the expiration of 167
the term of an authority member to be renewed or replaced; 168

(2) For each vacancy appointment, not more than thirty days 169
after the death of, resignation of, or termination of service by, 170
an authority member for whom a vacancy exists. 171

Sec. 4164.093. In reviewing, evaluating, and recommending 172
potential appointees to serve as members of the authority, the 173
council may solicit and accept comments from, and cooperate with, 174
any individual. 175

Sec. 4164.094. The council may make recommendations to the 176
general assembly concerning changes in law to assist the council 177
in the performance of its duties. 178

Sec. 4164.096. The council shall consist of seven members: 179

(A) The president of the senate, or the president's designee; 180

(B) The speaker of the house of representatives, or the 181
speaker's designee. 182

(C) Five members of the Ohio state university's nuclear engineering external advisory board. 183
184

Sec. 4164.097. (A) Of the seven members of the council, the five members from the Ohio state university's nuclear engineering external advisory board shall be appointed by the governor. 185
186
187

(B) Initial appointments under this section shall be made not later than thirty days after the effective date of this section. 188
189

Sec. 4164.098. The term of office for council members appointed by the governor shall be two years. Each appointed member shall serve as a member of the council from the date of appointment until the end of the term for which the member was appointed. 190
191
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The president of the senate, or the president's designee, and the speaker of the house of representatives, or the speaker's designee, shall serve on the council only during the tenure of the president or speaker. 195
196
197
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Sec. 4164.099. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member was appointed shall hold office for the remainder of such term. Any member shall continue in office after the expiration date of the term for which the member was appointed until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. Each vacancy of an appointed member shall be filled by appointment not later than sixty days after the vacancy occurs and shall be filled in the same manner as the original appointment. 199
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Sec. 4164.0911. The council shall elect a chairperson and a 209

secretary at its initial meeting. 210

Sec. 4164.0912. The council shall hold its initial meeting 211
not later than sixty days after the effective date of this 212
section. Subsequent meetings of the council may be called by the 213
chairperson. Special meetings shall be called by the chairperson 214
upon receipt of a written request for a meeting signed by two or 215
more members of the council. 216

Sec. 4164.0913. Before each meeting of the council, written 217
notice of the time and place of each meeting shall be sent to each 218
member of the council by mail or electronic mail. 219

Sec. 4164.0914. Four members of the council, or their 220
alternates, constitute a quorum. No measure shall be voted on, or 221
any action taken by the council unless a quorum is present. 222

Sec. 4164.0916. The council shall keep a record of its 223
proceedings. 224

Sec. 4164.0917. The council may adopt bylaws governing its 225
proceedings. 226

Sec. 4164.0918. Members of the council shall serve without 227
compensation. 228

Sec. 4164.10. The authority is established for both of the 229
following purposes: 230

(A) To be an information resource for this state, the United 231
States nuclear regulatory commission, all branches of the United 232
States military, and the United States department of energy on 233

advanced-nuclear-research reactors, isotopes, and isotope technologies; 234
235

(B) To make this state all of the following: 236

(1) A leader in the development and construction of new-type advanced-nuclear-research reactors; 237
238

(2) A national and global leader in the commercial production of isotopes and research; 239
240

(3) A leader in the research and development of high-level-nuclear-waste reduction and storage technology. 241
242

Sec. 4164.11. The authority shall have all powers necessary and convenient for carrying out its statutory purposes, including the following powers: 243
244
245

(A) To adopt bylaws for the management and regulation of its affairs; 246
247

(B) To develop and adopt a strategic plan for carrying out the purposes set forth in this chapter; 248
249

(C) To foster innovative partnerships and relationships in the state and among the state's public institutions of higher education, private companies, federal laboratories, and nonprofit organizations, to accomplish the purposes set forth in this chapter; 250
251
252
253
254

(D) To identify and support, in cooperation with the public and private sectors, the development of education programs related to Ohio's isotope industry; 255
256
257

(E) To assume, with the advice and consent of the Senate, any regulatory powers delegated from the United States nuclear regulatory commission, the United States department of energy, or 258
259
260

any branch of the United States military, or similar federal agencies, departments, or programs, governing the construction and operation of noncommercial power-producing nuclear reactors and the handling of radioactive materials; 261
262
263
264

(F) To act in place of the governor in approving agreements with the United States nuclear regulatory commission and joint-development agreements with the United States department of energy or an equivalent regulatory agency in the event that any of the following occur: 265
266
267
268
269

(1) The authority requests the commission to delegate rules for a state-based nuclear research-and-development program. 270
271

(2) The authority requests to jointly develop advanced-nuclear-research-reactor technology with the department under the department's authority. 272
273
274

(3) The authority requests to jointly develop advanced-nuclear-research-reactor technology with the United States department of defense or another United States military agency under the authority of the department or agency. 275
276
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Sec. 4164.12. For the purpose of carrying out the Ohio nuclear development authority's duties under sections 4164.01 to 4164.20 of the Revised Code, the authority may make use of the staff and experts employed at the department of development in such manner as is provided by mutual arrangement between the authority and the department. 279
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Sec. 4164.13. Meetings of the authority shall be held in compliance with section 121.22 of the Revised Code. 285
286

Sec. 4164.15. The authority shall work with industrial and 287

<u>academic institutions and the United States department of energy</u>	288
<u>or branches of the United States military to approve designs for</u>	289
<u>the commercialization of advanced-nuclear-reactor components,</u>	290
<u>which may include any of the following:</u>	291
<u>(A) Advanced-nuclear-reactor-neutronics analysis and</u>	292
<u>experimentation, including reactor, plant, shielding, nuclear</u>	293
<u>data, source-program software, nuclear database, conceptual</u>	294
<u>design, core and system design, certification in the phases,</u>	295
<u>core-management and fuel-management technology, modeling, and</u>	296
<u>calculation;</u>	297
<u>(B) Advanced-nuclear-reactor safety and plant safety,</u>	298
<u>including reactor-system safety standards, accident-analysis</u>	299
<u>software, and accident-management regulations;</u>	300
<u>(C) Advanced-nuclear-reactor fuels and materials, including</u>	301
<u>long-life fuel, clad materials, structural materials, component</u>	302
<u>materials, absorber materials, circuit materials, raw materials,</u>	303
<u>fuels-and-materials research and development, testing programs</u>	304
<u>used to develop fuels and materials-manufacturing processes,</u>	305
<u>experimental data, formulae, technological processes, and</u>	306
<u>facilities and equipment used to manufacture</u>	307
<u>advanced-nuclear-reactor fuels and materials;</u>	308
<u>(D) Advanced-nuclear-reactor-nuclear-steam-supply systems and</u>	309
<u>their associated components and equipment, including design</u>	310
<u>standards, component, equipment, and systems design, thermal</u>	311
<u>hydraulics, mechanics, and chemistry analysis;</u>	312
<u>(E) Advanced-nuclear-reactor engineered-safety features and</u>	313
<u>their associated components, including design standards, component</u>	314
<u>design, system design, and structural design;</u>	315
<u>(F) Advanced-nuclear-reactor building, including containment</u>	316

design, structural analysis, and architectural analysis; 317

(G) Advanced-nuclear-reactor instrumentation and control and application of computer science, including survey, monitor, control, and protection systems; 318
319
320

(H) Advanced-nuclear-reactor-quality practices, nondestructive-inspection practices, and in-service-inspection technology; 321
322
323

(I) Advanced-nuclear-reactor plant design and construction, debug, test-run, operation, maintenance, and decommissioning technology; 324
325
326

(J) Advanced-nuclear-reactor economic methodology and evaluation technology; 327
328

(K) Treatment, storage, recycling, and disposal technology for advanced-nuclear-reactor and system-spent fuel; 329
330

(L) Treatment, storage, and disposal technology for advanced-nuclear-reactor and system radioactive waste; 331
332

(M) Other areas that the parties or their executive agents agree upon in writing. 333
334

Sec. 4164.16. The authority shall give priority to projects that reduce nuclear waste and produce isotopes. 335
336

Sec. 4164.18. On or before the fourth day of July of each year, the authority shall submit an annual report of its activities to the governor, the speaker of the house of representatives, the president of the senate, and the chairs of the house and senate committees that oversee energy-related issues. The report shall be posted to the authority's web site. 337
338
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340
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342

Sec. 4164.19. Nothing in this chapter shall be construed to 343
supersede any agreement between the department of health and the 344
United States nuclear regulatory commission entered into under 345
section 3748.03 of the Revised Code with respect to regulating 346
activities not within the scope of activities of the authority. 347

Sec. 4164.20. (A) The authority shall, under Chapter 119. of 348
the Revised Code, adopt rules provided for by the United States 349
nuclear regulatory commission, department of energy, department of 350
defense or another United States military agency, or a comparable 351
federal agency for an Ohio state nuclear technology research 352
program for the purposes of developing and studying 353
advanced-nuclear research reactors to produce isotopes and to 354
reduce this state's high-level nuclear waste. The rules shall 355
reasonably ensure Ohioans of their safety in respect to nuclear 356
technology research and development and radioactive materials. 357

(B) Notwithstanding any provision of section 121.95 of the 358
Revised Code to the contrary, a regulatory restriction contained 359
in a rule adopted under this section is not subject to sections 360
121.95 to 121.953 of the Revised Code." 361

In line 101297, after "3745.11," insert "3748.03," 362

After line 151180a, insert: 363

"GRF 195XXX Ohio Nuclear Development Authority \$750,000 364
\$750,000" 365

In line 151181, add \$750,000 to each fiscal year 366

In line 151261, add \$750,000 to each fiscal year 367

After line 163223, insert: 368

"**Section 741.** Not later than ninety days after the 369
effective date of this section, the Ohio nuclear development 370

authority nominating council shall provide the governor with a 371
 list of possible initial appointees." 372

The motion was _____ agreed to.

SYNOPSIS

Ohio Nuclear Development Authority 373

R.C. 3748.23, 4164.01 to 4164.07, and 4164.10 to 4164.20 374

Establishes the Ohio Nuclear Development Authority 375
 (Authority) within the Ohio Department of Development consisting 376
 of nine members, from certain stakeholder groups. 377

Establishes the Authority for the following purposes: 378

- To be an information resource for Ohio and certain federal 379
 agencies regarding advanced nuclear research reactors, isotopes, 380
 and isotope technologies; 381
- To make Ohio a leader regarding new-type advanced nuclear 382
 research reactors, isotopes, and high-level nuclear waste 383
 reduction and storage. 384

Grants the Authority extensive power to fulfill its nuclear 385
 technology purposes specifically with respect to advanced nuclear 386
 reactor commercialization, isotope production, and nuclear waste 387
 reduction. 388

Requires the Authority to submit an annual report of its 389
 activities and post the report on the Authority's website. 390

Requires the Authority to adopt rules for an Ohio State 391
 Nuclear Technology Research Program. 392

Prohibits rules adopted under continuing law by the 393

Department of Health for radiation control from conflicting with	394
or superseding the rules adopted by the Authority.	395
Exempts Authority rules from being subject to Ohio law	396
governing the sunset of regulatory restrictions.	397
Ohio Nuclear Development Authority Nominating Council	398
R.C. 4164.09 to 4164.0918; Section 741.____	399
Establishes a seven-member Ohio Nuclear Development Authority	400
Nominating Council (Council).	401
Requires the Council to review, evaluate, and make	402
recommendations to the Governor for potential Authority member	403
appointees, which the Governor must select from.	404
Designates time limits for the appointment of membership to	405
the Council and for the Council to provide recommendation lists to	406
the Governor, as well as term limits for Council members.	407
Creates various requirements regarding Council meetings and	408
activities, such as when meetings must occur, adoption of bylaws,	409
recordkeeping, and selection and duties of the Council chairperson	410
and secretary.	411
Nuclear agreements	412
R.C. 3748.03	413
Permits the Governor, to the same extent as may be done under	414
current law with the U.S. Nuclear Regulatory Commission, to enter	415
into agreements with the U.S. Department of Energy or branches of	416
the U.S. military to permit the state to license and exercise	417
regulatory authority regarding certain radioactive materials.	418
Permits the Authority to enter into the same agreements on	419
behalf of the Governor.	420

Department of Development	421
Section 259.10	422
Appropriates \$750,000 in each fiscal year under GRF ALI	423
195XXX Ohio Nuclear Development Authority	424

_____ moved to amend as follows:

1 After line 151650, insert:

2 "Of the foregoing appropriation item 1956G4, Cultural
3 Center Grant, \$4,000,000 in fiscal year 2024 shall be used to
4 support the Norwalk Art Center."

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Department of Development**

8 **Section 259.30**

9 Earmarks \$4,000,000 in FY 2024 under Cultural Center Grant
10 Fund (Fund 5ZW0) ALI 1956G4, Cultural Center Grant, to be used
11 to support the Norwalk Art Center.

_____ moved to amend as follows:

1 In line 149633, delete "\$28,326,000" and insert
2 "\$30,326,000"

3 In line 149635 add \$2,000,000 to fiscal year 2024

4 In line 149671 add \$2,000,000 to fiscal year 2024

5 After line 149735 insert:

6 "MARCS

7 Of the foregoing appropriation item 100501, MARCS,
8 \$2,000,000 in fiscal year 2024 shall be used by the Director of
9 Administrative Services to purchase, install, and maintain one
10 APCO P-25 compliant Motorola ISSI-8000 or a similar newer device
11 that supports 20 simultaneous talk groups and allows for
12 standards based interoperability between APCO P-25 compliant
13 radio systems of differing manufacturers."

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Department of Administrative Services**

17 **Sections 207.10 and 207.20**

18 Increases FY 2024 appropriations under GRF ALI 100501,
19 MARCS by \$2,000,000 to a total of \$30,326,000.

HC2003

20 Requires the DAS Director, in FY 2024, to use \$2,000,000 to
21 purchase, install, and maintain one APCO P-25 compliant Motorola
22 ISSI-8000 or a similar newer device that supports 20
23 simultaneous talk groups and allows for standards based
24 interoperability between APCO P-25 compliant radio systems of
25 differing manufacturers.

_____ moved to amend as follows:

1 In line 151176, delete "\$11,550,000 \$11,550,000" and
2 insert "\$11,800,000 \$11,800,000"

3 In line 151181, add \$250,000 to each fiscal year

4 In line 151261, add \$250,000 to each fiscal year

5 After line 151383, insert:

6 "Of the foregoing appropriation item 195503, Local
7 Development Projects, \$250,000 in each fiscal year shall be
8 allocated to the Center for Advanced Manufacturing and Logistics
9 for operating and equipment expenses incurred for providing
10 workforce development, supply chain management, automation,
11 research and development, and entrepreneurship to foster
12 manufacturing and logistic industry jobs and company creation."

13 The motion was _____ agreed to.

14

SYNOPSIS

15

Department of Development

16

Section 259.10 and 259.20

17

18

19

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21

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24

Increases appropriations by \$250,000 in both FY 2024 and FY 2025 for GRF ALI 195503, Local Development Projects, and earmarks the increased amount for the Center for Advanced Manufacturing and Logistics for operating and equipment expenses incurred when providing workforce development, supply chain management, automation, research and development, and entrepreneurship to foster manufacturing and logistic industry jobs and company creation.

_____ moved to amend as follows:

1 After line 157176, insert:

2 "(O) Of the foregoing appropriation item 336421, Continuum
3 of Care Services, \$225,000 in each fiscal year shall be
4 distributed to LifeTown Columbus to provide additional support
5 for facility renovations and operations, including professional
6 development, curriculum development, education materials,
7 equipment, marketing, and recruitment."

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Department of Mental Health and Addiction Services**

11 **Section 337.40**

12 Earmarks \$225,000 in each fiscal year in GRF ALI 336421,
13 Continuum of Care Services, for LifeTown Columbus to provide
14 additional support for facility renovations and operations,
15 including professional development, curriculum development,
16 educational materials, equipment, marketing, and recruitment.

_____ moved to amend as follows:

1 In line 152151, delete "\$13,848,000 \$13,859,000" and
2 insert "\$14,348,000 \$14,359,000"

3 In line 152168, add \$500,000 to each fiscal year

4 In line 152220, add \$500,000 to each fiscal year

5 In line 152536, after "(H)" insert "Of the foregoing
6 appropriation item 200448, Educator Preparation, up to \$500,000
7 in each fiscal year shall be used to support the SmartOhio
8 Financial Literacy Program at the University of Cincinnati.

9 (I)"

10 In line 152543, delete "and"; after "(F)" insert ", and
11 (H)"

12 The motion was _____ agreed to.

13 SYNOPSIS

14 **Department of Education**

15 **Sections 265.10 and 265.120**

16 Increases GRF ALI 200448, Educator Preparation, by \$500,000
17 in each fiscal year and earmarks the same amounts from that ALI
18 to support the SmartOhio Financial Literacy Program at the
19 University of Cincinnati. Permits this funding to be used for

HC2028

20 award-related expenses for a period of up to two years from the
21 date of the award.

_____ moved to amend as follows:

1 In line 154719, delete "\$49,528,000" and insert
2 "\$53,528,000"

3 In line 154720, add \$4,000,000 to fiscal year 2024

4 In line 154748, add \$4,000,000 to fiscal year 2024

5 In line 154968, after the first comma insert "\$4,000,000
6 for the University of Cincinnati Medical Center Emergency
7 Department Critical Care Pavilion expansion,"

8 In line 162608, delete "\$49,528,000" and insert
9 "\$53,528,000"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Department of Health**

13 **Sections 291.10, 291.20, and 513.10**

14 Increases Fund 5AE1 ALI 440697, Hospital Relief, by
15 \$4,000,000 in FY 2024. Requires the increase in funds to be
16 distributed for the University of Cincinnati Medical Center
17 Emergency Department Critical Care Pavilion expansion. Increases
18 the amount to be transferred from the FY 2023 GRF ending cash
19 balance to Fund 5AE1 by the same amount.

_____ moved to amend as follows:

- 1 In line 40519, strike through "\$6,414,"
- 2 In line 40520, after "~~2023,~~" insert "\$7,190"
- 3 In line 40523, strike through "\$1,562"
- 4 In line 40524, after "~~2023~~" insert "\$1,751"
- 5 In line 40527, strike through "\$3,963"
- 6 In line 40528, after "~~2023~~" insert "\$4,442"
- 7 In line 40531, strike through "\$9,522"
- 8 In line 40532, after "~~2023~~" insert "\$10,673"
- 9 In line 40535, strike through "\$12,707"
- 10 In line 40536, after "~~2023~~" insert "\$14,243"
- 11 In line 40539, strike through "\$17,209"
- 12 In line 40540, after "~~2023~~" insert "\$19,290"
- 13 In line 40543, strike through "\$25,370"
- 14 In line 40544, after "2023" insert "\$28,438"
- 15 In line 40545, strike through "\$27,000" and insert
- 16 "\$30,000"
- 17 In line 152162, delete "\$7,877,550,000 \$8,196,797,000" and
- 18 insert "\$7,879,550,000 \$8,198,797,000"
- 19 In line 152168, add \$2,000,000 to each fiscal year

20 In line 152220, add \$2,000,000 to each fiscal year

21 The motion was _____ agreed to.

22 SYNOPSIS

23 **Jon Peterson Special Needs Scholarship amounts**

24 **R.C. 3317.022 (A) (13)**

25 Increases the base and category amounts for the Jon
26 Peterson Special Needs Scholarship Program in proportion to the
27 bill's estimated proposed increase to the statewide average base
28 cost per pupil (12.1%).

29 Increases the funding cap for the Jon Peterson Special
30 Needs Scholarship Program from \$27,000 to \$30,000.

31 **Department of Education**

32 **Section 265.10**

33 Increases GRF ALI 200550, Foundation Funding - All
34 Students, by \$2,000,000 in each fiscal year.

_____ moved to amend as follows:

1 In line 158856, delete "\$3,075,000" and insert "\$3,675,000"

2 In line 158881, add \$600,000 to fiscal year 2024

3 In line 158908, add \$600,000 to fiscal year 2024

4 After line 160099, insert:

5 "(I) Of the foregoing appropriation item 235533, Program
6 and Project Support, \$600,000 in fiscal year 2024 shall be
7 allocated to support the Ashland University Military and
8 Veterans Resource Center Project."

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Department of Higher Education**

12 **Sections 381.10 and 381.410**

13 Increases GRF ALI 235533, Program and Project Support, by
14 \$600,000 in FY 2024 and earmarks the same amount to be allocated
15 to support the Ashland University Military and Veterans Resource
16 Center Project.

_____ moved to amend as follows:

1 In line 158856, delete "\$3,075,000" and insert "\$3,575,000"

2 In line 158881, add \$500,000 to fiscal year 2024

3 In line 158908, add \$500,000 to fiscal year 2024

4 After line 160099, insert:

5 "(I) Of the foregoing appropriation item 235533, Program
6 and Project Support, \$500,000 in fiscal year 2024 shall be
7 distributed to the Ashland University Center for Addictions
8 Project."

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Department of Higher Education**

12 **Sections 381.10 and 381.410**

13 Increases GRF ALI 235533, Program and Project Support, by
14 \$500,000 in FY 2024 and earmarks the same amount to be
15 distributed to the Ashland University Center for Addictions
16 Project.

_____ moved to amend as follows:

1 In line 160679, delete "\$40,528,000" and insert
2 "\$41,228,000"

3 In line 160680, add \$700,000 to fiscal year 2024

4 In line 160704, add \$700,000 to fiscal year 2024

5 After line 160753, insert:

6 "INSTITUTION EDUCATION SERVICES

7 Of the foregoing appropriation item 506321, Institution
8 Education Services, \$700,000 in fiscal year 2024 shall be used
9 for the Ashland University Correctional Education Expansion
10 Program."

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Department of Rehabilitation and Correction**

14 **Section 383.10**

15 Increases GRF ALI 506321, Institution Education Services,
16 by \$700,000 in fiscal year 2024, and earmarks the increase for
17 the Ashland University Correctional Education Expansion Program.

_____ moved to amend as follows:

1 After line 151630, insert:

2 "Of the foregoing appropriation item 1956G2, Downtown
3 Development Grant, \$175,000 in fiscal year 2024 shall be used to
4 provide for the construction of a sidewalk along U.S. 250 in the
5 City of Ashland, Ashland County."

6 In line 151631, delete "foregoing" and insert "remainder
7 of"

8 In line 151634, delete "Of the" and insert "The"

9 In line 151635, delete "appropriated, \$50,000,000 in fiscal
10 year 2024"; delete "in" and insert "equally to"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Department of Development**

14 **Section 259.30**

15 Earmarks \$175,000 in FY 2024 from DPF ALI 1956G2, Downtown
16 Development Grant, to be used for the construction of a
17 pedestrian sidewalk along U.S. 250 in the City of Ashland,
18 Ashland County.

_____ moved to amend as follows:

1 After line 151650, insert:

2 "Of the foregoing appropriation item 1956G4, Cultural
3 Center Grant, \$25,000 in fiscal year 2024 shall be allocated to
4 Ashland Community Theatre to purchase equipment for those with
5 hearing impairments."

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Development**

9 **Section 259.30**

10 Earmarks \$25,000 in FY 2024 under Fund 5ZW0 ALI 1956G4,
11 Cultural Center Grant, for the Ashland Community Theatre to
12 purchase equipment for those with hearing impairments.

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_____ moved to amend as follows:

In line 54 of the title, after "3310.032," insert "3310.15," 1

In line 490, after "3310.032," insert "3310.15," 2

After line 35610, insert: 3

"**Sec. 3310.15.** (A) The department of education annually shall 4
compile the scores attained by scholarship students to whom an 5
assessment is administered under section 3310.14 of the Revised 6
Code. The scores shall be aggregated as follows: 7

(1) By state, which shall include all students awarded a 8
scholarship under the educational choice scholarship pilot program 9
and who were required to take an assessment under section 3310.14 10
of the Revised Code; 11

(2) By school district, which shall include all scholarship 12
students who were required to take an assessment under section 13
3310.14 of the Revised Code and for whom the district is the 14
student's resident district; 15

(3) By chartered nonpublic school, which shall include all 16
scholarship students enrolled in that school who were required to 17
take an assessment under section 3310.14 of the Revised Code. 18

(B) The department shall disaggregate the student performance 19
data described in division (A) of this section according to the 20

following categories: 21

(1) Grade level; 22

(2) Race and ethnicity; 23

(3) Gender; 24

(4) Students who have participated in the scholarship program
for three or more years; 25
26

(5) Students who have participated in the scholarship program
for more than one year and less than three years; 27
28

(6) Students who have participated in the scholarship program
for one year or less; 29
30

(7) Economically disadvantaged students. 31

(C) The department shall post the student performance data 32
required under divisions (A) and (B) of this section on its web 33
site and, by the first day of February each year, shall distribute 34
that data to the parent of each eligible student. In reporting 35
student performance data under this division, the department shall 36
not include any data that is statistically unreliable or that 37
could result in the identification of individual students. For 38
this purpose, the department shall not report performance data for 39
any group that contains less than ten students. 40

Not later than July 1, 2024, the department shall develop one 41
or more measures to demonstrate the performance of scholarship 42
students enrolled in a chartered nonpublic school that will enable 43
parents to effectively compare the performance of scholarship 44
students against the performance of students enrolled in public 45
schools. The superintendent of public instruction's advisory 46
committee on chartered nonpublic schools shall review the measures 47
and data simulations and may recommend revisions to the measures. 48

The department shall adopt rules in accordance with Chapter 119. 49
of the Revised Code prior to using any of the measures developed 50
under this section. Notwithstanding any provision of section 51
121.95 of the Revised Code to the contrary, a regulatory 52
restriction contained in a rule adopted under this division is not 53
subject to sections 121.95 to 121.953 of the Revised Code. 54

(D) The department shall provide the parent of each 55
scholarship student with information comparing the student's 56
performance on the assessments administered under section 3310.14 57
of the Revised Code with the average performance of similar 58
students enrolled in the building operated by the student's 59
resident district that the scholarship student would otherwise 60
attend. In calculating the performance of similar students, the 61
department shall consider age, grade, race and ethnicity, gender, 62
and socioeconomic status." 63

In line 101270, after "3310.032," insert "3310.15," 64

The motion was _____ agreed to.

SYNOPSIS

Scholarship student performance data comparison system 65

R.C. 3310.15 66

Requires the Department of Education to develop, and adopt 67
rules prior to implementing, one or more measures to demonstrate 68
the performance of scholarship students enrolled in chartered 69
nonpublic schools that enable parents to compare the performance 70
of scholarship students against that of students enrolled in 71
public schools. 72

_____ moved to amend as follows:

1 In line 158856, delete "\$3,075,000 \$3,280,000" and insert
2 "\$5,075,000 \$5,280,000"

3 In line 158859, delete "\$8,335,000 \$8,335,000" and insert
4 "\$7,835,000 \$7,835,000"

5 In line 158881, add \$1,500,000 to each fiscal year

6 In line 158908, add \$1,500,000 to each fiscal year

7 After line 160099, insert:

8 "(I) Of the foregoing appropriation item 235533, Program
9 and Project Support, \$2,000,000 in each fiscal year shall be
10 provided to People Working Cooperatively for the Safe and
11 Healthy at Home Initiative. The funds shall be used to make
12 critical home modifications and emergency repairs for low-income
13 and elderly homeowners and for health care and housing
14 partnerships to address chronic housing related health care
15 issues."

16 Delete lines 160114 through 160121

17 The motion was _____ agreed to.

18

SYNOPSIS

19

Department of Higher Education

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Sections 381.10, and 381.410, and 381.430

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Increases GRF ALI 235533, Program and Project Support, by \$2,000,000 in each fiscal year and decreases GRF ALI 235537, University of Cincinnati Clinical Teaching, by \$500,000 in each fiscal year. Moves and increases the earmark for the People Working Cooperatively for the Safe and Healthy at Home Initiative from ALI 235537 at \$500,000 in each fiscal year to ALI 235533 at \$2,000,000 in each fiscal year.

_____ moved to amend as follows:

1 After line 161487a, insert:

2 "XXXX 830XXX Child Care Infrastructure \$15,000,000 \$15,000,000"

3 In line 161489, add \$15,000,000 to each fiscal year

4 In line 161503, add \$15,000,000 to each fiscal year

5 After line 161943, insert:

6 **"Section 423.____.** CHILD CARE INFRASTRUCTURE

7 The foregoing appropriation item 830XXX, Child Care
8 Infrastructure, shall be used to award child care infrastructure
9 grants to entities to assist them in providing safe and
10 developmentally appropriate child care for infants and toddlers
11 in Appalachian communities and communities with high infant
12 mortality rates. The Director of Children and Youth, in
13 collaboration with the Director of Job and Family Services and
14 members of the Early Childhood Advisory Council, shall review
15 and evaluate grant applications. The review process shall
16 consider the needs of applicants and the ability of the
17 communities in which applicants are located to serve publicly
18 funded child care eligible infants and toddlers in
19 developmentally appropriate child care settings.

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46 applicants and the ability of the communities in which
47 applicants are located to serve publicly funded child care
48 eligible infants and toddlers in developmentally appropriate
49 child care settings. Allows grants to be used to provide
50 workforce supports, family engagement and support, mental health
51 services, professional development and technical assistance, and
52 facilities improvement and classroom supplies.

53 Transfers \$30,000,000 from the FY 2023 ending GRF cash
54 balance to the Child Care Infrastructure Fund (Fund XXXX), which
55 is created in the state treasury.

_____ moved to amend as follows:

1 After line 90206, insert:

2 "(L) (1) Notwithstanding the limitations on the life of an
3 incentive district and the number of years that improvements to
4 a parcel or parcels within an incentive district may be
5 exempted from taxation prescribed by divisions (C) and (D) of
6 this section, the legislative authority of a municipal
7 corporation may amend an ordinance originally adopted under
8 division (C) of this section before January 1, 2006, to extend
9 the life of an incentive district created by that ordinance. The
10 extension shall be for a period not to exceed fifteen years and
11 shall not increase the percentage of the value of improvements
12 exempted from taxation.

13 (2) Before adopting an amendment authorized by division
14 (L) (1) of this section, the legislative authority of the
15 municipal corporation shall provide notice of the amendment to
16 each board of education of the city, local, or exempted village
17 school district in which the incentive district is located, in
18 the same manner as provided under division (D) of this section,
19 and shall obtain the approval of each such board in the manner

20 required under that division, except both of the following
21 apply:

22 (a) The board of education may approve the exemption on the
23 condition that the legislative authority and the board negotiate
24 an agreement providing for mutually agreeable compensation to
25 the school district.

26 (b) If the board of education fails to certify a resolution
27 approving the amendment to the legislative authority within the
28 time prescribed by division (D) of this section, the legislative
29 authority shall not adopt the amendment authorized under
30 division (L) of this section.

31 (3) No approval otherwise required by division (L)(2) of
32 this section shall be required from a board of education if
33 either of the following apply:

34 (a) The amendment provides for compensation to the city,
35 local, or exempted village school district in which the
36 incentive district is located equal in value to the amount of
37 taxes that would be payable to the school district if the
38 improvements exempted from taxation had not been exempted for
39 the additional period.

40 (b) The board of education has adopted a resolution waiving
41 its right to approve exemptions from taxation pursuant to
42 division (D)(4) of this section. If the board has adopted such a
43 resolution, the municipal corporation shall comply with the

44 notice requirements imposed by section 5709.83 of the Revised
45 Code before taking formal action to adopt an amendment
46 authorized under division (L)(1) of this section unless the
47 board has adopted a resolution under that section waiving its
48 right to receive that notice.

49 (4) Not later than fourteen days before adopting an
50 amendment authorized by division (L)(1) of this section, the
51 legislative authority of the municipal corporation shall deliver
52 a notice identical to a notice required under section 5709.83 of
53 the Revised Code to the board of county commissioners of each
54 county in which the incentive district is located."

55 The motion was _____ agreed to.

56 SYNOPSIS

57 **Municipal tax increment financing (TIF) district extensions**

58 **R.C. 5709.40**

59 Allows the legislative authority of a municipal corporation
60 to extend the life of a TIF incentive district, created prior to
61 2006, by up to 15 years, provided certain notice, and agreement
62 or waiver, conditions are met with respect to applicable school
63 boards and notice is given to the county.

_____ moved to amend as follows:

1 After line 152152a, insert:

2 "GRF 200457 STEM Initiatives \$1,000,000 \$0"

3 In line 152168, add \$1,000,000 to fiscal year 2024

4 In line 152220, add \$1,000,000 to fiscal year 2024

5 After line 152554, insert:

6 "STEM INITIATIVES

7 The foregoing appropriation item 200457, STEM Initiatives,
8 shall be distributed to the Alliance for Working Together
9 Foundation to support ongoing STEM education.

10 An amount equal to the unexpended, unencumbered balance of
11 the foregoing appropriation item 200457, STEM Initiatives, at
12 the end of fiscal year 2024 is hereby reappropriated for the
13 same purpose in fiscal year 2025."

14 The motion was _____ agreed to.

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SYNOPSIS

16

Department of Education

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Sections 265.10 and 265.130

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Establishes GRF ALI 200457, STEM Initiatives, with an appropriation of \$1,000,000 in FY 2024 and requires that this item be distributed to the Alliance for Working Together Foundation to support ongoing STEM education. Reappropriates the available balance of this appropriation at the end of FY 2024 for the same purpose in FY 2025.

_____ moved to amend as follows:

1 After line 152190a, insert:

2 "7017 200614 Accelerate Great Schools \$1,500,000 \$1,500,000"

3 In line 152193, add \$1,500,000 to each fiscal year

4 In line 152220, add \$1,500,000 to each fiscal year

5 After line 153710, insert:

6 "ACCELERATE GREAT SCHOOLS

7 The foregoing appropriation item 200614, Accelerate Great
8 Schools, shall be used by the Department of Education to support
9 the Accelerate Great Schools public-private partnership."

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Department of Education**

13 **Sections 265.10 and 265.420**

14 Establishes Fund 7017 ALI 200614, Accelerate Great Schools,
15 with an appropriation of \$1,500,000 in each fiscal year and
16 requires this item to fund the Accelerate Great Schools public-
17 private partnership.

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_____ moved to amend as follows:

In line 152153, delete "\$5,045,000 \$5,083,000" and insert 1
"\$5,545,000 \$5,583,000" 2

In line 152168, add \$500,000 to each fiscal year 3

In line 152220, add \$500,000 to each fiscal year 4

In line 152556, before "Of" insert "(A)" 5

In line 152567, before "Of" insert "(B)" 6

After line 152578, insert: 7

"(C)(1) Of the foregoing appropriation item 200465, Education 8
Technology Resources, up to \$500,000 in each fiscal year shall be 9
used to provide state matching grants under the pilot project 10
established in Section 733.____ of this act, provided further that 11
the maximum amount of a state matching grant shall be as follows: 12

(a) Five per cent of total eligible pre-discount costs for 13
projects approved for a discount rate of 90 per cent under the 14
federal E-Rate program; 15

(b) 10 per cent of total eligible pre-discount costs for 16
projects approved for a discount rate of less than 90 per cent 17
under the federal E-Rate program. 18

(2) An amount equal to the unexpended, unencumbered balance 19
of the amount allocated in division (C)(1) of this section at the 20

end of fiscal year 2024 is hereby reappropriated for the same 21
purpose in fiscal year 2025." 22

In line 152579, before "The" insert "(D)" 23

After line 163200, insert: 24

"**Section 733.____.** (A) As used in this section: 25

(1) "E-Rate" means the federal Universal Service Fund's 26
Schools and Libraries program. 27

(2) "Other public school" has the same meaning as in section 28
3301.0711 of the Revised Code. 29

(B) The Department of Education shall establish and 30
administer a pilot project that provides state matching grants in 31
fiscal year 2024 and fiscal year 2025 to school districts, 32
educational service centers, other public schools, or libraries 33
that meet the requirements of this section. 34

(C) To be eligible for a matching grant under the pilot 35
project, a school district, educational service center, other 36
public school, or library shall first be approved for E-Rate 37
funding and for special construction broadband expansion meeting 38
the Federal Communications Commission's long term targets for 39
E-Rate by the Federal Communications Commission or other entity 40
empowered to grant approval. 41

(D) The Department shall establish processes for accepting 42
applications and making eligibility determinations for the pilot 43
project that are consistent with E-Rate, provided that the 44
Department shall not establish eligibility criteria more stringent 45
than what is required under division (C) of this section. 46

(E) The Department shall begin to accept applications for the 47
pilot project through the Department's web site or other publicly 48

accessible platform not later than ninety days after the effective	49
date of this section.	50

(F) The Department may establish rules to carry out the pilot	51
project pursuant to Chapter 119. of the Revised Code.	52

(G) Notwithstanding any provision of section 121.95 of the	53
Revised Code to the contrary, a regulatory restriction contained	54
in a rule adopted under this section is not subject to sections	55
121.95 to 121.953 of the Revised Code."	56

The motion was _____ agreed to.

SYNOPSIS

E-Rate matching grant pilot project	57
--	----

Section 733._____	58
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Requires the Department of Education (ODE) to establish and	59
administer a pilot project that provides state matching grants in	60
fiscal years 2024 and 2025 to eligible school districts, public	61
schools, or libraries.	62

Requires school districts, public schools, or libraries to	63
first be approved by the appropriate entity for the federal	64
Universal Service Fund's Schools and Libraries program (E-Rate)	65
funding and for special construction broadband expansion meeting	66
the Federal Communications Commission's (FCC) long term E-Rate	67
targets to be eligible for the pilot project.	68

Requires ODE to establish processes for accepting pilot	69
project applications and making eligibility determinations that	70
are consistent with E-Rate.	71

Prohibits ODE from establishing eligibility criteria more 72
stringent than E-Rate approval and special construction meeting 73
the FCC's long term E-Rate targets. 74

Requires ODE to begin to accept pilot project applications 75
through the Department's web site or other publicly accessible 76
platform within 90 days of the effective date. 77

Permits ODE to establish rules to carry out the pilot project 78
under the Administrative Procedure Act (R.C. Chapter 119.), and 79
exempts such rules from the regulatory restriction limitation in 80
current law. 81

Department of Education 82

Sections 265.10 and 265.140 83

Increases GRF ALI 200465, Education Technology Resources, by 84
\$500,000 in each fiscal year and earmarks the same amounts from 85
this item to support the state matching grants for the pilot 86
project. 87

Limits the maximum amount of a state matching grant to (a) 5% 88
of total eligible pre-discount costs for projects approved for a 89
discount rate of 90% under E-rate and (b) 10% of total eligible 90
pre-discount costs for projects approved for a discount rate of 91
less than 90% (under E-Rate, an eligible applicant's discount rate 92
may range from 20% to 90% depending on poverty level, whether the 93
applicant is located in an urban or rural area, and the type of 94
services purchased). 95

_____ moved to amend as follows:

1 After line 155465, insert:

2 "Of the foregoing appropriation item 600689, TANF Block
3 Grant, \$375,000 in fiscal year 2024 and \$600,000 in fiscal year
4 2025 shall be provided, in accordance with sections 5101.80 and
5 5101.801 of the Revised Code, to the Foundry Row, Sail, Dream
6 Program."

7 The motion was _____ agreed to.

8 SYNOPSIS

9 **Department of Job and Family Services**

10 **Section 307.80**

11 Earmarks \$375,000 in FY 2024 and \$600,000 in FY 2025 in
12 Fund 3V60 ALI 600689, TANF Block Grant, for the Foundry Row,
13 Sail, Dream Program.

_____ moved to amend as follows:

1 After line 155470, insert:

2 "Of the foregoing appropriation item 600689, TANF Block
3 Grant, \$250,000 in each fiscal year shall be provided, in
4 accordance with sections 5101.80 and 5101.801 of the Revised
5 Code, to the United Way of Greater Cincinnati to support the
6 Project Lift Program in Brown and Clermont counties to help
7 families remove barriers to secure sustainable income and
8 achieve financial stability through critical short-term
9 assistance and support, coaching, workforce development, and
10 other resources."

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Department of Job and Family Services**

14 **Section 307.80**

15 Earmarks \$250,000 in each fiscal year in Fund 3V60 ALI
16 600689, TANF Block Grant, for the United Way of Greater
17 Cincinnati to support the Project Lift Program in Brown and
18 Clermont counties.

_____ moved to amend as follows:

1 After line 154523b, insert:

2 "GRF 230500 Program and Project Support \$125,000 \$0"

3 In line 154525, add \$125,000 to fiscal year 2024

4 In line 154532, add \$125,000 to fiscal year 2024

5 After line 154543, insert:

6 "PROGRAM AND PROJECT SUPPORT

7 The forgoing appropriation item 230500, Program and Project
8 Support, shall be distributed to the Village of Owensville for
9 renovations to the Owensville Museum."

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Ohio Facilities Construction Commission**

13 **Sections 287.10 and 287.20**

14 Establishes GRF ALI 230500, Program and Project Support,
15 with an appropriation of \$125,000 in fiscal year 2024 and
16 requires that the funds be distributed to the Village of
17 Owensville for renovations to the Owensville Museum.

_____ moved to amend as follows:

1 After line 151650, insert:

2 "Of the foregoing appropriation item 1956G4, Cultural
3 Center Grant, \$500,000 in fiscal year 2024 shall be allocated to
4 the Cleveland Museum of Natural History to increase access to
5 its STEM education programs for students in grades pre-
6 kindergarten through 12 across Ohio with a focus on serving
7 those attending Title I-served schools."

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Department of Development**

11 **Section 259.30**

12 Earmarks \$500,000 in FY 2024 under Cultural Center Grant
13 Fund (Fund 5ZW0) ALI 1956G4, Cultural Center Grant, for the
14 Cleveland Museum of Natural History to increase access to its
15 STEM education programs for students in grades pre-kindergarten
16 through 12 across Ohio with a focus on serving those attending
17 Title I-served schools.

_____ moved to amend as follows:

1 After line 151650, insert:

2 "Of the foregoing appropriation item 1956G4, Cultural
3 Center Grant, \$600,000 in fiscal year 2024 shall be allocated to
4 the Cleveland Institute of Music (CIM) to support the Academy at
5 CIM."

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Development**

9 **Section 259.30**

10 Earmarks \$600,000 in fiscal year 2024 under Cultural Center
11 Grant Fund (Fund 5ZW0) ALI 1956G4, Cultural Center Grant, for
12 the Cleveland Institute of Music (CIM) to support the Academy at
13 CIM (an after-school and weekend youth training program).

_____ moved to amend as follows:

1 In line 161312, delete "\$400,000 \$400,000" and insert

2 "\$450,000 \$450,000"

3 In line 161314, delete "\$400,000 \$400,000" and insert

4 "\$450,000 \$450,000"

5 In line 161316, delete "\$400,000 \$400,000" and insert

6 "\$450,000 \$450,000"

7 In line 161322, delete "\$400,000 \$400,000" and insert

8 "\$450,000 \$450,000"

9 In line 161323, add \$200,000 to each fiscal year

10 In line 161324, add \$200,000 to each fiscal year

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Veterans' Organizations**

14 **Section 414.10**

15 Increases the following GRF appropriations (for a total
16 increase of \$200,000 in each fiscal year):

- 17 (1) GRF ALI 752501, VAL American Legion of Ohio, by \$50,000
18 in each fiscal year, from \$400,000 to \$450,000;

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- 19 (2) GRF ALI 753501, VII AMVETS, by \$50,000 in each fiscal
20 year, from \$400,000 to \$450,000;
- 21 (3) GRF ALI 754501, VAV Disabled American Veterans, by
22 \$50,000 in each fiscal year, from \$400,000 to \$450,000;
- 23 (4) GRF ALI 758501, VFW Veterans of Foreign Wars, by \$50,000
24 in each fiscal year, from \$400,000 to \$450,000.

_____ moved to amend as follows:

1 Delete lines 151355 through 151363

2 After line 161249 insert:

3 "(C) Up to \$24,000,000 in fiscal year 2024 under
4 appropriation item 776673, Connect4Ohio, shall be allocated in
5 the following manner: up to \$14,400,000 shall be allocated to
6 the Licking County Board of Commissioners, up to \$3,600,000
7 shall be allocated to the City of Newark, up to \$3,600,000 shall
8 be allocated to the City of Johnstown, and up to \$2,400,000
9 shall be allocated to the City of Heath. These allocations shall
10 be used for road improvements including road expansion, road
11 development, bridges, culverts, and right-of-way acquisitions in
12 support of the Intel economic development project."

13 In line 161250, delete "(C)" and insert "(D)"

14 The motion was _____ agreed to.

15

SYNOPSIS

16

Department of Development and Department of Transportation

17

Sections 259.20 and 411.30

18

Removes the following earmarks under GRF ALI 195456, Local Roads, used by the Department of Development, for road improvements, including but not limited to road expansion, road development, bridges, culverts, and right-of-way acquisitions in support of the Intel economic development project: (1) \$14,400,000 in FY 2024 for the Licking County Board of Commissioners; (2) \$3,600,000 in FY 2024 for the City of Newark; (3) \$3,600,000 in FY 2024 for the City of Johnstown; and (4) \$2,400,000 in FY 2024 for the City of Heath.

27

Moves these earmarks to the Department of Transportation under DPF ALI 776673, Connect4Ohio.

28

_____ moved to amend as follows:

1 Delete lines 157839 through 157844

2 The motion was _____ agreed to.

3 SYNOPSIS

4 **Department of Natural Resources**

5 **Section 343.20**

6 Removes earmarks of \$3,500,000 in FY 2024 to support the
7 Mentor Erosion Mitigation Project and \$2,000,000 in each fiscal
8 year to expand Project Wild wildlife-based conservation and
9 environmental education under GRF ALI 725520, Special Projects.

_____ moved to amend as follows:

1 In line 161467, delete "\$23,402,000 \$23,402,000" and
2 insert "\$24,402,000 \$24,402,000"

3 In line 161481, add \$1,000,000 to each fiscal year

4 In line 161503, add \$1,000,000 to each fiscal year

5 After line 161562, insert:

6 **"Section 423.____. PART C EARLY INTERVENTION**

7 Of the foregoing appropriation item 830405, Part C Early
8 Intervention, \$1,000,000 in total in each fiscal year shall be
9 used to contract with the Cleveland Sight Center, the Cincinnati
10 Association for the Blind and Visually Impaired, and the Sight
11 Center of Northwest Ohio to provide early intervention special
12 instruction services and family support to children under the
13 age of three with blindness or low vision."

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Department of Children and Youth**

17 **Sections 423.10 and 423.____**

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18 Increases GRF ALI 830405, Part C Early Intervention, by
19 \$1,000,000 in each fiscal year. Requires the increase in funds
20 to be used to contract with the Cleveland Sight Center, the
21 Cincinnati Association for the Blind and Visually Impaired, and
22 the Sight Center of Northwest Ohio to provide early intervention
23 special instruction services and family support to children
24 under the age of three with blindness or low vision.

_____ moved to amend as follows:

1 Delete line 90207 through 90285, and insert:

2 "Sec. 5709.56. (A) As used in this section:

3 (1) "Pre-residential development property" means a parcel
4 of unimproved real property on which construction of one or more
5 residential buildings is planned but has not yet commenced. The
6 construction or installation of a qualifying improvement on a
7 parcel does not cause construction of a residential building to
8 commence for purposes of division (A) (1) or (B) of this section.
9 "Pre-residential development property" does not include a
10 parcel, any portion of the value of which is exempted from
11 taxation under section 5709.40, 5709.41, 5709.73, or 5709.78 of
12 the Revised Code.

13 (2) "Residential building" means a building or structure
14 any part of which is to be used as a dwelling.

15 (3) "Qualifying improvement" means streets, sidewalks,
16 curbs, or driveways or water, sewer, or other utility lines.

17 (4) "Qualifying owner" means the direct or indirect owner
18 of pre-residential development property for any portion of a tax
19 year ending on or after the effective date of this section that

20 includes the date the first qualifying improvement constructed
21 or installed on that property first appears on the tax list, or
22 any other person to which title to the property is transferred,
23 without consideration, by another qualifying owner.

24 (5) "Pass-through entity" has the same meaning as in
25 section 5733.04 of the Revised Code.

26 (B) A qualifying improvement constructed or installed on
27 pre-residential development property owned by a qualifying owner
28 is exempted from taxation beginning with the tax year that the
29 first of any such improvement to the property first appears on
30 the tax list and for each of the four ensuing tax years, except
31 that the exemption shall not apply beginning with the tax year
32 that begins after the tax year in which the earliest of the
33 following occurs:

34 (1) Construction of a residential building on that property
35 commences;

36 (2) Title to the property is transferred for consideration
37 by a qualifying owner to another person;

38 (3) If a qualifying owner is a pass-through entity, more
39 than fifty per cent of the interest in the owner is transferred
40 in one transaction or a series of transactions;

41 (4) Any portion of the value of that property is exempted
42 from taxation under section 5709.40, 5709.41, 5709.73, or
43 5709.78 of the Revised Code.

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_____ moved to amend as follows:

In line 438 of the title, after "amended," insert "237.13 as
subsequently amended," 1 2

In line 162799, after the first comma insert "237.13 (as
amended by H.B. 45 of the 134th General Assembly)," 3 4

After line 162961, insert: 5

"Sec. 237.13. CULTURAL AND SPORTS FACILITIES PROJECTS 6

The foregoing appropriation item C230FM, Cultural and Sports
Facilities Projects, shall be used to support the projects listed
in this section. 7 8 9

Project List 10

Columbus Symphony Orchestra \$2,000,000 11

Findlay Market Garage \$2,000,000 12

Toledo Museum of Art \$1,250,000 13

Cincinnati Museum Center STEM - Biomedical \$1,200,000 14

and Early Childhood Exhibits

Allen County Memorial Hall Improvements \$1,000,000 15

Historic Newark Arcade Renovation \$1,000,000 16

Eric Mendelsohn Park Synagogue Campus \$1,000,000 17

Restoration

Playhouse Square \$1,000,000 18

Port Regal Theatre	\$1,000,000	19
Pro Football Hall of Fame	\$1,000,000	20
Rock and Roll Hall of Fame Expansion	\$1,000,000	21
Cleveland Museum of Art Horace Kelley Art Foundation Lobby Renovation Phase II	\$900,000	22
Cleveland Museum of Natural History	\$900,000	23
A.B. Graham Memorial at I-70 and SR 72	\$750,000	24
American Sign Museum	\$750,000	25
James A. Garfield Memorial Preservation	\$750,000	26
Springfield Art Museum	\$750,000	27
Central Presbyterian Church	\$650,000	28
Emery Theater Restoration	\$650,000	29
Salmon Carter House	\$625,000	30
Athens Hall of Honor Veterans Memorial	\$600,000	31
DeYor Performing Arts Center	\$600,000	32
Fremont Amphitheater Park	\$600,000	33
National Museum of the Great Lakes Expansion Project	\$600,000	34
OH WOW! The Roger and Gloria Jones Children's Center for Science and Technology	\$600,000	35
Akron Art Museum-Center for Creative Learning	\$500,000	36
Canton Township Palace Theater	\$500,000	37
Champaign Aviation Museum Improvements	\$500,000	38
Crawford Auto-Aviation Museum	\$500,000	39
Day Air Credit Union Ballpark Professional Development License Facility Standard Improvements	\$500,000	40
Dayton Institute of Art	\$500,000	41
Fort Recovery Opera House	\$500,000	42

Friends of the St. Marys Theater and Grand Opera House Downtown Revitalization Project	\$500,000	43
International Soap Box Derby	\$500,000	44
Lyric Theater Renovation	\$500,000	45
Miami Valley Veterans Museum	\$500,000	46
National Aviation Hall of Fame Innovation Laboratory	\$500,000	47
National Voice of America Museum of Broadcasting	\$500,000	48
Ohio Aerospace Institute Building Repair Project	\$500,000	49
Stan Hywet Hall and Garden	\$500,000	50
The Barn at Stratford	\$500,000	51
York Mason Building Renovation	\$500,000	52
Brown-Harris Historic Cemetery Preservation	\$450,000	53
Schuster Center	\$450,000	54
Taft Museum of Art Preservation Phase II	\$450,000	55
Clifton Cultural Arts Center	\$400,000	56
Orange Township Veterans Memorial	\$400,000	57
Columbus Museum of Art	\$350,000	58
Fort Laurens Restoration	\$330,000	59
Cleveland Center for Arts and Technology	\$325,000	60
Vandalia Art Park Amphitheater	\$300,000	61
Butler Art Museum	\$300,000	62
Champaign County Historical Society-Museum Additions and Renovation	\$300,000	63
Gloria Theatre and the Urbana Youth Center Improvements	\$300,000	64
Historic Washington Auditorium Renovation	\$300,000	65
Jackson Amphitheater	\$300,000	66
New Franklin Tudor House	\$300,000	67

Robert (Sonny) Hill Community Center Expansion and Redevelopment Project	\$300,000	68
Rockwell District Cultural and Arts Amphitheater - Whitehall	\$300,000	69
Steubenville Grand Theater	\$300,000	70
Veterans Memorial Lake Park	\$300,000	71
Oak Harbor Riverfront	\$275,000	72
City of Orrville Market West Historic Area	\$250,000	73
Cranz Farm at Hale Farm and Village	\$250,000	74
Everts Athletic and Arts Community Center	\$250,000	75
Findlay Market Infrastructure Renovations	\$250,000	76
Holmes Center for the Arts	\$250,000	77
New London Hileman Community Building Project	\$250,000	78
Piqua Arts - The Bank	\$250,000	79
Rickenbacker Boyhood Home	\$250,000	80
Sandusky State Theatre	\$250,000	81
Toledo School for the Arts Expansion	\$250,000	82
Youngstown Heritage Manor <u>Area Jewish Federation</u>	\$250,000	83
Preble County Historical Society Restoration and Nature Reserve	\$240,000	84
Pickaway County Memorial Hall Beck Center	\$225,000	85
Cincinnati Carriage House Renovations	\$200,000	86
Complete Cozad - Health Hospitality Campus	\$200,000	87
East Liverpool Revitalization Project	\$200,000	88
Grant Sawyer Carriage House	\$200,000	89
Lorain Palace Theatre	\$200,000	90
Marion Heritage Hall	\$200,000	91
Painesville Amphitheater	\$200,000	92

Karamu House Educational Wing Renovations	\$175,000	94
McDowell-Phillips House Museum	\$175,000	95
McKinley Presidential Library Upgrades	\$171,000	96
Grafton Veterans Memorial	\$150,000	97
Historic Ohio State Reformatory Tour Site Upgrade and Expansion	\$150,000	98
Johnstown Amphitheater	\$150,000	99
Marion Women's Club	\$150,000	100
Necco Center Campus	\$150,000	101
Nuestra Gente Community Center	\$150,000	102
Powell Education Center	\$150,000	103
St. Clairsville Train Depot	\$150,000	104
Tecumseh! Actors Village Improvements	\$150,000	105
Van Wert Area Performing Arts Annex Workshop	\$150,000	106
Village of Richwood Opera House Restoration	\$150,000	107
Woodsfield Monroe Theatre	\$135,000	108
Pump House Center for the Arts	\$127,000	109
Beach Park Railway Museum	\$125,000	110
Ensemble Theatre of Cincinnati	\$125,000	111
Forever Dads Historic Building Restoration	\$125,000	112
John and Iris Hathaway Education and Community Center	\$125,000	113
Logan Theater Renovation	\$125,000	114
Anchorage Rehabilitation Phase III	\$100,000	115
Armstrong Air and Space Museum	\$100,000	116
Barker House Stabilization Project	\$100,000	117
Boonshoft Museum of Discovery	\$100,000	118
Bowling Green Oak Street Theater	\$100,000	119
Chagrin Falls Historical Society	\$100,000	120
Columbus College of Art and Design Youth	\$100,000	121

and Community Learning Hub		
Dairy Barn Arts Center	\$100,000	122
Delaware Arts Castle Mason Repairs	\$100,000	123
Downtown Marion Community Culture and Entertainment Zone	\$100,000	124
Dublin Arts Council - Muirfield Drive Project	\$100,000	125
Evendale Cultural Arts Center - ADA Compliance	\$100,000	126
Fayette County Museum	\$100,000	127
Federal Valley Resource Center Improvements	\$100,000	128
Firelands Historical Society Expansion	\$100,000	129
Galion Big Four Depot Renovation	\$100,000	130
Historic Hoover Auditorium Renovation	\$100,000	131
Historic Sidney Theater Phase II	\$100,000	132
Hotel McArthur	\$100,000	133
Jacob Miller Tavern	\$100,000	134
Kol Israel Foundation Holocaust Memorial	\$100,000	135
Lilly Weston House	\$100,000	136
Louis Sullivan Building	\$100,000	137
Macedonia Missionary Baptist Church Renovation	\$100,000	138
Middletown Entertainment and Sports Venue	\$100,000	139
North Ridgeville Veterans Memorial	\$100,000	140
Port Clinton Arts Garage	\$100,000	141
Portage Riverwalk Arts Infrastructure - Oak Harbor	\$100,000	142
Ro-Na Theater Entertainment and Performing Arts Theater	\$100,000	143
Strand Theatre	\$100,000	144
Swanton Memorial Park Improvements	\$100,000	145

Walnut Hills Creative Campus	\$100,000	146
Wellston Sport Complex	\$100,000	147
Dennison Community Auditorium Accessibility	\$95,000	148
Arts and Education Campus Improvements - Silverton	\$90,000	149
Georgetown Hall - Adena	\$90,000	150
Sugarcreek Township Veterans Memorial	\$90,000	151
Case Barlow Farm	\$80,000	152
Highland House Museum	\$77,000	153
Boys and Girls Club - HVAC and Roof Repair - Orrville	\$75,000	154
Danny Thomas Park Amphitheater	\$75,000	155
Hudson Historic Boy Scout Cabin	\$75,000	156
Pleasant Square Community Center	\$75,000	157
Tarlton Community Building	\$75,000	158
Warren County Community Services	\$75,000	159
Massillon Museum Fire Monitoring System	\$68,000	160
Pike Heritage Museum	\$60,000	161
Allen County Museum	\$50,000	162
Willoughby Arts Education and Performing Arts Center	\$50,000	163
Fairfield County Historical Society Goslin Room	\$50,000	164
G.A.R. Hall Historic Rehabilitation	\$50,000	165
Gallipolis Railroad Freight Station Museum	\$50,000	166
Grand Army of the Republic Hall	\$50,000	167
Grant Memorial Building, Phase II	\$50,000	168
Grant Presidential Sculpture	\$50,000	169
History Manor Renovation and Reinterpretation - Wauseon	\$50,000	170
Libbey House	\$50,000	171

Mansard Building Project	\$50,000	172
Mansfield Art Center Pavilion	\$50,000	173
O.P. Chaney/Historic Mill	\$50,000	174
Oviatt House	\$50,000	175
Railroad Museum Upgrades - Bradford	\$50,000	176
SAM Center Upgrades	\$50,000	177
Spring Hill	\$50,000	178
Trumpet in the Land Outdoor Drama Tower Project	\$50,000	179
Westfield Center Community Center ADA Improvement Project	\$50,000	180
Zanesville Gateway District	\$50,000	181
Zanesville Museum of Art Facility EIFS Repairs and HVAC Replacement	\$50,000	182
Hardin County Armory	\$45,000	183
Genoa One Room School House	\$40,000	184
Victorian House Museum	\$35,000	185
Convoy Opera House Annex Restoration	\$31,000	186
Stuart's Opera House	\$30,000	187
Dayton Contemporary Dance Arts and Cultural Center	\$25,000	188
Ohio Glass Museum	\$25,000	189
Peoples Bank Theatre	\$25,000	190
Poland Historical Society	\$25,000	191
Village of Garrettsville Cemetery	\$25,000	192
Scioto County Heritage Museum Restoration	\$10,000	193

In line 162988, after the first comma insert "237.13 (as amended by H.B. 45 of the 134th General Assembly),"

The motion was _____ agreed to.

SYNOPSIS

Ohio Facilities Construction Commission	196
Sections 610.10 and 610.11	197
Amends Section 237.13 of H.B. 687 of the 134th General	198
Assembly (as amended by H.B. 45 of the 134th General Assembly) to	199
rename a \$250,000 earmark of Cultural and Sports Facilities	200
Building Fund (Fund 7030) ALI C230FM, Cultural and Sports	201
Facilities Projects, for "Youngstown Heritage Manor" as	202
"Youngstown Area Jewish Federation."	203

_____ moved to amend as follows:

1 In line 156677, delete "all transfers" and insert "counties
2 shall proportionately supplement their Medicaid eligibility
3 determinations and redeterminations with "American Rescue Plan
4 Act of 2021," Pub. L. No 117-2, funding received for that
5 purpose. The Director of Job and Family Services shall notify
6 the Medicaid Director of any transfer requests"

7 In line 156679, delete "shall require prior"

8 In line 156680, delete everything before the period and
9 insert "that exceed those made in fiscal year 2023"; delete "may
10 apply" and insert "shall consult with the Director of Job and
11 Family Services to establish"

12 In line 156683, delete "Funds" and insert "In fiscal year
13 2024 up to \$5,000,000 and in fiscal year 2025 up to \$10,000,000
14 of funds"

15 The motion was _____ agreed to.

16

SYNOPSIS

17

Department of Medicaid

18

Section 333.200

19

20 Modifies Executive provisions by requiring that counties
21 proportionately supplement their Medicaid eligibility
22 determinations and redeterminations with federal ARPA funding
23 received for that purpose.

23

24 Requires ODJFS to notify the ODM Director of any transfer
25 requests made that would allocate money from the Medicaid IM
26 Control allocation to other IM Control Programs or would exceed
27 the allocations made in FY 2023. Requires the ODM Director to
28 consult with the ODJFS Director in the establishment of transfer
29 conditions and criteria.

29

30 Sets a cap at \$5,000,000 in FY 2024 and \$10,000,000 in
31 FY 2025 on the amount within appropriation item 655522, Medicaid
32 Program Support - Local, which may be distributed based on
33 performance criteria.

_____ moved to amend as follows:

1 In line 156265, delete "\$5,570,713,000 \$6,258,292,000" and
2 insert "\$5,576,963,000 \$6,264,542,000"

3 In line 156266, delete "\$14,649,386,000 \$15,737,295,000"
4 and insert "\$14,663,916,000 \$15,751,825,000"

5 In line 156267, delete "\$20,220,099,000 \$21,995,587,000"
6 and insert "\$20,240,879,000 \$22,016,367,000"

7 In line 156270, add \$6,250,000 to each fiscal year

8 In line 156271, add \$14,530,000 to each fiscal year

9 In line 156272, add \$20,780,000 to each fiscal year

10 In line 156298, add \$20,780,000 to each fiscal year

11 After line 156307, insert:

12 "**Section 333.XX** FQHC RATE INCREASE

13 Of the foregoing appropriation item 651525, \$20,780,000 in
14 each fiscal year shall be used by the Department of Medicaid to
15 increase payment rates to federally qualified health centers and
16 federally qualified health center look-alikes, as defined in
17 section 3701.047 of the Revised Code, for all services."

18 The motion was _____ agreed to.

19

SYNOPSIS

20

Department of Medicaid

21

Sections 333.10 and 333.XX

22

23

24

25

Increases GRF line item 651525, Medicaid Health Care Services, by \$20,780,000 (\$6,250,000 state share) in each fiscal year. Earmarks this increase to provide a rate increase for FQHCs and FQHC look-alikes.

_____ moved to amend as follows:

1 In line 155219, delete "\$150,000 \$150,000" and insert
2 "\$2,400,000 \$2,400,000"

3 In line 155225, add \$2,250,000 to each fiscal year

4 In line 155265, add \$2,250,000 to each fiscal year

5 After line 155413, insert:

6 "Of the foregoing appropriation item 600689, TANF Block
7 Grant, \$2,250,000 in each fiscal year shall be allocated, in
8 accordance with sections 5101.80 and 5101.801 of the Revised
9 Code, to College Now to provide payments to family support
10 specialists employed by the Say Yes to Education Cleveland
11 program."

12 After line 155558, insert:

13 "Of the foregoing appropriation item 600551, Job and Family
14 Services Program Support, \$2,250,000 in each fiscal year shall
15 be allocated to College Now to provide payments to family
16 support specialists employed by the Say Yes to Education
17 Cleveland program."

18 The motion was _____ agreed to.

19

SYNOPSIS

20

Department of Job and Family Services

21

Sections 307.10, 307.80, and 307.133

22

23

24

25

26

27

Increases GRF ALI 600551, Job and Family Services Program Support, by \$2,250,000 in each fiscal year. Earmarks this funding, along with an additional \$2,250,000 in each fiscal year in Fund 3V60 ALI 600689, TANF Block Grant, for College Now to provide payments to family support specialists employed by the Say Yes to Education Cleveland program.

_____ moved to amend as follows:

1 After line 151477, insert:

2 "Of the foregoing appropriation item 1956A1, Water and
3 Sewer Quality Program, \$5,000,000 in fiscal year 2024 shall be
4 allocated to Ashtabula County to support a sewer project located
5 in Kingsville Township at the interchange of State Route 193 and
6 Interstate Route 90."

7 The motion was _____ agreed to.

8 SYNOPSIS

9 **Department of Development**

10 **Section 259.30**

11 Earmarks \$5,000,000 in fiscal year 2024 under State Fiscal
12 Recovery Fund (Fund 5CV3) ALI 1956A1, Water and Sewer Quality
13 Program, for Ashtabula County to support a sewer project located
14 in Kingsville Township at the interchange of SR 193 and I-90.

_____ moved to amend as follows:

1 After line 151650, insert:

2 "Of the foregoing appropriation item 1956G4, Cultural
3 Center Grant \$300,000 in fiscal year 2024 shall be used for the
4 Nancy and David Wolf Holocaust and Humanity Center."

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Department of Development**

8 **Section 259.30**

9 Earmarks \$300,000 in fiscal year 2024 under Cultural Center
10 Grant Fund (Fund 5ZW0) ALI 1956G4, Cultural Center Grant, for
11 the Nancy and David Wolf Holocaust and Humanity Center.

_____ moved to amend as follows:

1 After line 155474, insert:

2 **"Section 307.____. FAMILY STABILITY PROGRAMS**

3 Of the foregoing appropriation item, 600689, TANF Block
4 Grant, up to \$1,500,000 in each fiscal year shall be provided,
5 in accordance with sections 5101.80 and 5101.801 of the Revised
6 Code, to the Siemer Institute to support family stability
7 programs in collaboration with United Way affiliates on a
8 quarterly basis. The funds shall be used to provide services and
9 early interventions that are focused on improving family housing
10 stability, increasing household income, reducing school
11 mobility, and supporting two-generation programming to stabilize
12 family units.

13 Before any funds are reimbursed, the Siemer Institute or
14 affiliates shall provide the Department of Job and Family
15 Services with documentation showing the amount of private sector
16 dollars that have been collected to support the family stability
17 programs. The amount of each reimbursement provided by the
18 Department to the Siemer Institute shall not exceed the amount

19 documented and shall not exceed the amount of the earmark in
20 each fiscal year.

21 On July 1, 2023, or as soon as possible thereafter, the
22 Director of Job and Family Services shall certify to the
23 Director of Budget and Management the amount of the unexpended,
24 unencumbered balance of the earmark in fiscal year 2023. The
25 amount certified is hereby reappropriated to the same
26 appropriation item for the same purpose in fiscal year 2024."

27 The motion was _____ agreed to.

28 SYNOPSIS

29 **Department of Job and Family Services**

30 **Section 307. __**

31 Earmarks \$1,500,000 in each fiscal year in Fund 3V60 ALI
32 600689, TANF Block Grant, for the Siemer Institute to support
33 family stability programs in collaboration with United Way
34 affiliates on a quarterly basis. Requires the Siemer Institute
35 or affiliates to provide ODJFS with documentation showing the
36 amount of private sector dollars collected to support the family
37 stability programs before reimbursing the funds.

38 Requires ODJFS to certify the amount of unexpended,
39 unencumbered balance of the existing current earmark at the end
40 of FY 2023 to be reappropriated to FY 2024. Reappropriates the
41 amount certified for the same purpose.

_____ moved to amend as follows:

1 In line 161469, delete "\$114,216,000 \$114,216,000" and
2 insert "\$115,316,000 \$115,316,000"

3 In line 161481, add \$1,100,000 to each fiscal year

4 In line 161503, add \$1,100,000 to each fiscal year

5 After line 161584, insert:

6 "Of the foregoing appropriation item 830407, Early
7 Childhood Education, up to \$1,100,000 in each fiscal year shall
8 be used for the Supporting Partnerships to Assure Ready Kids
9 (SPARK) program in Ohio."

10 In line 161586, delete "foregoing"; insert "remainder of"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Department of Children and Youth**

14 **Sections 423.10 and 423.40**

15 Increases GRF ALI 830407, Early Childhood Education, by
16 \$1,100,000 in each fiscal year and requires up to \$1,100,000 in
17 each fiscal year be used for the SPARK program in Ohio.

_____ moved to amend as follows:

1 In line 156993, delete "\$95,389,000 \$95,389,000" and
2 insert "\$95,939,000 \$95,939,000"

3 In line 157002, add \$550,000 to each fiscal year

4 In line 157033, add \$550,000 to each fiscal year

5 After line 157176, insert:

6 "(O) Of the foregoing appropriation item 336421, Continuum
7 of Care Services, \$550,000 in each fiscal year shall be
8 distributed to CHC Addiction Services, located in Akron, Ohio.
9 Funds shall be used for their Rocco Antenucci Memorial Adult
10 Residential Center (RAMAR)."

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Department of Mental Health and Addiction Services**

14 **Sections 337.10 and 337.40**

15 Increases, by \$550,000 in each fiscal year, GRF ALI 336421,
16 Continuum of Care Services.

17 Requires these funds to be distributed to CHC Addiction
18 Services and used for their Rocco Antenucci Memorial Adult
19 Residential Center (RAMAR).

_____ moved to amend as follows:

1 In line 151214, delete "\$62,000,000" and insert
2 "\$65,000,000"

3 In line 151215, add \$3,000,000 to fiscal year 2024

4 In line 151261, add \$3,000,000 to fiscal year 2024

5 In line 151658, delete "The" and insert "Of the"; after
6 "Projects," insert "\$62,000,000"

7 In line 151660, insert:

8 "Of the foregoing appropriation item 1956G7, Local
9 Projects, \$3,000,000 in fiscal year 2024 shall be allocated to
10 Hamilton County to support the construction of the Hamilton
11 County Regional Safety Complex."

12 In line 162592, delete "\$62,000,000" and insert
13 "\$65,000,000"

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Department of Development**

17 **Sections 259.10, 259.30, and 513.10**

18 Increases GRF ALI 1956G7, Local Projects, by \$3,000,000 in
19 fiscal year 2024 and earmarks the increased amount to Hamilton

HC2322X1

20 County to support the construction of the Hamilton County
21 Regional Safety Complex.

22 Increases the transfer from the FY 2023 GRF ending cash
23 balance to the Local Projects Fund (Fund 5ZZ0) from up to
24 \$62,000,000 to up to \$65,000,000.

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_____ moved to amend as follows:

In line 430 of the title, after "280.12" insert a comma 1

In 431 of the title, delete "and"; after "280.28" insert ", 2
and 285.12" 3

In line 162994, delete "and" and insert a comma; after 4
"280.28" insert ", and 285.12" 5

After line 163078, insert: 6

"Sec. 285.12. ELECTRONIC POLLBOOKS 7

The foregoing appropriation item 050638, Electronic 8
Pollbooks, shall be used by the Secretary of State to pay 9
eighty-five per cent of the calculated allocation cost of 10
acquiring electronic pollbooks, as defined in section 3506.05 of 11
the Revised Code, and ancillary equipment, for county boards of 12
elections in accordance with this section. 13

An amount equal to the unexpended, unencumbered portion of 14
the foregoing appropriation item 050638, Electronic Pollbooks, at 15
the end of fiscal year 2023 is hereby reappropriated to the 16
Secretary of State for the same purpose in fiscal year 2024. 17

On the effective date of this section the effective date of 18
this section, or as soon as possible thereafter, the Director of 19
Budget and Management shall transfer \$7,500,000 cash from the 20

General Revenue Fund to the Electronic Pollbook Fund (Fund 5ZE0), 21
which is hereby created in the state treasury. 22

When required, pursuant to state purchasing requirements and 23
at the request of the Secretary of State, the Office of 24
Procurement Services within the Department of Administrative 25
Services shall initiate a competitive solicitation for the purpose 26
of identifying and securing contracts with qualified vendors that 27
can provide electronic pollbooks, as defined in section 3506.05 of 28
the Revised Code, and ancillary equipment, for the county boards 29
of elections in accordance with this section. 30

The Secretary of State shall calculate the portion of 31
appropriation item 050638, Electronic Pollbooks, to be allocated 32
to each county board of elections in proportion to the number of 33
registered voters in each county as recorded in the statewide 34
voter registration database as of July 1, 2022. The Secretary of 35
State, in conjunction with the Office of Procurement Services 36
within the Department of Administrative Services, shall use the 37
funding allocated to each county board of elections ~~for the~~ 38
~~purchase of~~ to reimburse them for the cost of acquiring electronic 39
pollbooks and ancillary equipment as follows: 40

(A) For electronic pollbooks and ancillary equipment to be 41
~~purchased~~ acquired from vendors identified through competitive 42
solicitation by the Office of Procurement Services within the 43
Department of Administrative Services after ~~the effective date of~~ 44
~~this section~~ the effective date of this section, upon request by a 45
county board of elections, the Secretary of State shall provide a 46
list of the vendors and electronic pollbooks certified in 47
accordance with section 3506.05 of the Revised Code. The board of 48
elections shall select electronic pollbooks from this list, ~~and~~ 49
notify the ~~Office of Procurement Services~~ Secretary of State of 50
its selection. ~~The Office,~~ and shall purchase acquire the selected 51

electronic pollbooks and any other necessary equipment ~~on behalf~~ 52
~~of the board of elections and shall transfer those pollbooks and~~ 53
~~equipment to the board.~~ The board of elections shall enter into a 54
memorandum of understanding with the applicable board of county 55
commissioners and the ~~Department of Administrative Services~~ 56
Secretary of State concerning those ~~purchases~~ acquisitions. The 57
Secretary of State shall reimburse the board of elections for the 58
lesser amount of either eighty-five per cent of the cost of those 59
~~purchases~~ acquisitions, or the amount of the allocation as 60
determined by the Secretary of State under this section. 61

(B) If, prior to ~~the effective date of this section~~ the 62
effective date of this section and after the date of December 31, 63
2019, a board of elections ~~purchased~~ acquired electronic pollbooks 64
or ancillary equipment and is otherwise in compliance with all 65
applicable directives and statutes, the Secretary of State shall 66
reimburse the board of elections for the lesser amount of either 67
eighty-five per cent of the cost of that ~~purchase~~ acquisition, or 68
the amount of the allocation as determined by the Secretary of 69
State under this section. Reimbursement shall be paid to the 70
county ~~general fund~~ board of elections." 71

In line 163079, delete "and" and insert a comma; after 72
"280.28" insert ", and 285.12" 73

The motion was _____ agreed to.

SYNOPSIS

Secretary of State and Department of Administrative Services 74
Section 285.12 of H.B. 45 of the 134th General Assembly; 75
Sections 610.30. and 610.31. 76

Amends Section 285.12 of H.B. 45 of the 134th General Assembly, dealing with reimbursements the Secretary of State (SOS) makes to counties for the cost of purchasing electronic pollbooks, to do the following:

(A) Allow reimbursement for the acquisition of electronic pollbooks, which includes purchasing and leasing, rather than only purchasing them.

(B) Require boards of elections that acquired electronic pollbooks or ancillary equipment between December 31, 2019 and the effective date of this section to be in compliance with all applicable directives and statutes in order to receive reimbursement.

(C) Specify that the reimbursement for boards of elections that acquired electronic pollbooks or ancillary equipment between December 31, 2019 and the effective date of this section shall be paid to the county board of elections rather than the county general fund.

(D) Alter the acquisition process for new equipment so that the Department of Administrative Services (DAS) initiates a bidding process, county boards of election directly acquire the equipment approved by SOS, with SOS then appropriately reimbursing each county board of elections. Current law requires each county board of elections to enter into a memorandum of understanding with DAS and the SOS, purchase through DAS from a pre-approved list of vendors, and receive reimbursement from the SOS.

_____ moved to amend as follows:

1 In line 150002, delete "\$11,000,000 \$11,000,000" and insert
2 "\$11,600,000 \$11,300,000"

3 In line 150007, add \$600,000 to fiscal year 2024 and
4 \$300,000 to fiscal year 2025

5 In line 150026, add \$600,000 to fiscal year 2024 and
6 \$300,000 to fiscal year 2025

7 After line 150058, insert:

8 "Of the foregoing appropriation item 490411, Senior
9 Community Services, \$600,000 in fiscal year 2024 and \$300,000 in
10 fiscal year 2025 shall be used for the Senior Transportation
11 Accessibility and Modernization Pilot Program administered by
12 Senior Transportation Connection in Cuyahoga County."

13 In line 150059, after "The" insert "remainder of"; delete
14 "foregoing"

15 The motion was _____ agreed to.

16

SYNOPSIS

17

Department of Aging

18

Sections 209.10 and 209.30

19

Increases GRF ALI 490411, Senior Community Services, by
20 \$600,000 in FY 2024 and \$300,000 in FY 2025.

21

Requires these funds to be used for the Senior
22 Transportation Accessibility and Modernization Pilot Program,
23 administered by Senior Transportation Connection in Cuyahoga
24 County.

_____ moved to amend as follows:

1 In line 160670, delete "\$1,316,815,000 \$1,395,484,000" and
2 insert "\$1,317,065,000 \$1,395,734,000"

3 In line 160680, add \$250,000 to each fiscal year

4 In line 160704, add \$250,000 to each fiscal year

5 After line 160711, insert:

6 "FELONY OFFENSE COST REIMBURSEMENTS

7 Of the foregoing appropriation item 501321, Institutional
8 Operations, the Department of Rehabilitation and Correction
9 shall allocate an amount not to exceed \$250,000 in each fiscal
10 year to reimburse counties for their costs incurred in the
11 prosecution of felonies that occur on the grounds of state
12 correctional institutions operated by the Department. Eligible
13 reimbursement costs include those incurred by the prosecuting
14 attorney, indigent defense counsel, courts of common pleas,
15 clerk of courts of common pleas, and the sheriff."

16 The motion was _____ agreed to.

17

SYNOPSIS

18

Department of Rehabilitation and Correction

19

Section 383.10

20

Increases GRF ALI 501321, Institutional Operations, by
21 \$250,000 in each fiscal year.

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Requires the Department to allocate an amount not to exceed
\$250,000 from GRF ALI 501321 in each fiscal year to reimburse
counties for their costs incurred in the prosecution of felonies
that occur on the grounds of state correctional institutions
operated by the Department. Eligible reimbursement costs include
those incurred by the prosecuting attorney, indigent defense
counsel, courts of common pleas, clerk of courts of common
pleas, and the sheriff.

_____ moved to amend as follows:

1 After line 163186, insert:

2 **"Section 701.____.** (A) Not later than one hundred twenty days
3 after the effective date of this section, the Department of
4 Development shall conduct a study to determine if the Ohio State
5 Fairgrounds should be relocated to an alternative location while
6 redeveloping the existing site of the Ohio State Fairgrounds and
7 Ohio Highway Patrol Training Facility. The Department shall
8 provide a copy of the completed study to the President of the
9 Ohio Senate, the Speaker of the Ohio House of Representatives,
10 and the Governor.

11 (B) The study shall be conducted prior to the expenditure
12 of any state funds on the redevelopment of the existing Ohio
13 State Fairgrounds and Ohio Highway Patrol Training Facility
14 site, including any engineering and architectural plans,
15 infrastructure development, building demolition, and building
16 construction on the current Ohio State Fairgrounds and Ohio
17 Highway Patrol Training Facility site.

18 (C) The study shall determine the following:

19 (1) The value of the existing Ohio State Fairgrounds and
20 Ohio Highway Patrol Training Facility site and how the sale,
21 lease, and rental of all or part of the current Ohio State
22 Fairgrounds and Ohio Highway Training Facility site can assist
23 in the funding of the development of an alternative Ohio State
24 Fairgrounds site inside Franklin County or a contiguous county.

25 (2) The economic development benefits using an input-output
26 model for the redevelopment of the existing Ohio State
27 Fairgrounds and Ohio Highway Patrol Training Facility site into
28 a mixed-use or other private sector development that may or may
29 not include existing Ohio Exposition Commission facilities.

30 (3) A plan, potential cost, and financing structure for the
31 development of an alternative Ohio State Fairgrounds site inside
32 Franklin County or a contiguous county."

33 The motion was _____ agreed to.

34 SYNOPSIS

35 **Ohio State Fairground study**

36 **Section 701. __**

37 Requires the Department of Development (DEV), not later
38 than 120 days after the bill's effective date, to conduct a
39 study to determine if the Ohio State Fairgrounds should be
40 relocated to an alternative location while redeveloping the
41 existing Fairgrounds and the Ohio Highway Patrol Training
42 Center.

HC2379

43 Requires the study to be conducted prior to any state funds
44 being spent on the redevelopment of the existing site.

45 Requires DEV to provide copies of the study to the Senate
46 President, Speaker, and Governor.

_____ moved to amend as follows:

1 After line 161249, insert:

2 "Up to \$1,000,000 of funding available under appropriation
3 item 776673, Connect4Ohio, shall be used to conduct a
4 feasibility study to examine granting right-of-way access along
5 State Route 11 connecting two deep sea ports in Ashtabula County
6 with a deep sea port in Columbiana County."

7 In line 161250, delete "(C)" and insert "(D)"

8 In line 161252, delete "and" and insert a comma; after
9 "(B)" insert ", and (C)"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Department of Transportation**

13 **Section 411.30**

14 Earmarks \$1,000,000 under Fund 5ZR0 ALI 776673,
15 Connect4Ohio, to conduct a feasibility study about granting
16 right-of-way access along State Route 11 and connecting two deep
17 sea ports in Ashtabula County with one deep sea port in
18 Columbiana County.

_____ moved to amend as follows:

1 Delete lines 151190 through 151190b

2 After line 151211a insert:

3 "5XXX 195XXX Broadband Pole Replacement \$50,000,000 \$0"
4 and Undergrounding Program

5 In line 151215, add \$40,000,000 to fiscal year 2024

6 In line 151261, add \$40,000,000 to fiscal year 2024

7 Delete lines 151479 through 151483

8 After line 151656, insert:

9 "BROADBAND POLE REPLACEMENT AND UNDERGROUNDING PROGRAM

10 The foregoing appropriation item 195XXX, Broadband Pole
11 Replacement and Undergrounding Program, shall be used by the
12 Department of Development to support the Broadband Pole
13 Replacement and Undergrounding Program under section 191.27 of
14 the Revised Code."

15 In line 162613, delete the period and insert "; and"

16 After line 162613, insert:

17 "(R) Up to \$50,000,000 cash to the Broadband Pole
18 Replacement Fund (Fund 5XXX)."

19 The motion was _____ agreed to.

20

SYNOPSIS

21

Department of Development

22

Sections 259.10 and 513.10

23

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Appropriates \$50,000,000 in FY 2024 under Fund 5XXX ALI 195XXX, Broadband Pole Replacement and Undergrounding Program.

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Requires up to \$50,000,000 cash to be transferred from the FY 2023 GRF ending balance to the Broadband Pole Replacement Fund (Fund 5XXX).

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Requires that the ALI be used to support the Broadband Pole Replacement and Undergrounding Program under section 191.27 of the Revised Code.

_____ moved to amend as follows:

1 In line 154719, delete "\$49,528,000" and insert

2 "\$50,558,000"

3 In line 154720, add \$1,030,000 to fiscal year 2024

4 In line 154748, add \$1,030,000 to fiscal year 2024

5 In line 154969, delete "and"

6 In line 154970, after "Services" insert ", and \$1,030,000

7 for the DDC Clinic."

8 In line 162608, delete "\$49,528,000" and insert

9 "\$50,558,000"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Department of Health**

13 **Sections 291.10, 291.20, and 513.10**

14 Increases Fund 5AE1 ALI 440697, Hospital Relief, by
15 \$1,030,000 in FY 2024. Requires the increase in funds to be
16 distributed to the DDC Clinic. Increases the amount to be
17 transferred from the FY 2023 GRF ending cash balance to Fund
18 5AE1 by the same amount.

_____ moved to amend as follows:

- 1 In line 47222, reinsert ", except"
- 2 Reinsert lines 47223 through 47225
- 3 In line 47226, reinsert all before the period
- 4 In line 47233, reinsert "except in years"
- 5 In line 47234, reinsert all before the period
- 6 In line 47241, reinsert "In years in which a presidential"
- 7 Reinsert lines 47242 through 47244

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Move presidential primaries back to March**

11 **R.C. 3501.01**

12 Removes from the bill a provision that required a
13 presidential primary election to be held on the first Tuesday
14 after the first Monday in May, the same as any other primary
15 election, instead of being held on the third Tuesday after the
16 first Monday in March.

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_____ moved to amend as follows:

- In line 7 of the title, after "120.08," insert "120.33," 1
- In line 455, after "120.08," insert "120.33," 2
- In line 4149, after "~~either~~" strike through the balance of 3
the line 4
- In line 4150, strike through "fund" 5
- In line 4151, after "~~fund~~" insert "the indigent defense 6
support fund created in section 120.08 of the Revised Code. The 7
state public defender shall pay one hundred per cent of the 8
eligible costs of indigent defense in counties that contract with 9
the state public defender pursuant to this division" 10
- In line 4231, after the period insert "The state public 11
defender shall reimburse one hundred per cent of the eligible 12
costs of indigent defense for counties that contract with the 13
state public defender pursuant to that section that are not 14
directly provided by the state public defender." 15
- In line 4514, after "sections" insert "120.04," 16
- In line 4518, delete "The" and insert "Except as provided in 17
division (E) of this section, the" 18
- In line 4538, delete "The" and insert "Except as provided in 19
division (F) of this section, the" 20

After line 4545, insert:

21

"(E) From the portion of the fund allotted to reimbursing county governments, the state public defender shall first pay one hundred per cent of the eligible costs of indigent defense in counties that contract with the state public defender pursuant to division (C)(7) of section 120.04 of the Revised Code or division (B) of section 120.33 of the Revised Code. Reimbursement to counties that do not contract with the state public defender pursuant to either of those sections shall be made from the remaining funds at least once per year and shall be allocated proportionately so that each county receives an equal proportion of its cost for operating its county public defender system, its joint county public defender system, or its county appointed counsel system.

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(F) Regardless of the distribution outlined in division (A) of this section, the state public defender may use up to ten per cent of any amount credited to the indigent defense support fund pursuant to a contract under division (C)(7) of section 120.04 of the Revised Code for the purposes of providing administrative or other personnel, equipment, and facilities necessary to support the state public defender office in that county or region.

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Sec. 120.33. (A) In lieu of using a county public defender or joint county public defender to represent indigent persons in the proceedings set forth in division (A) of section 120.16 of the Revised Code, the board of county commissioners of any county may adopt a resolution to pay counsel who are either personally selected by the indigent person or appointed by the court. The resolution shall include those provisions the board of county commissioners considers necessary to provide effective representation of indigent persons in any proceeding for which

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counsel is provided under this section. The resolution shall 51
 include provisions for contracts with any municipal corporation 52
 under which the municipal corporation shall reimburse the county 53
 for counsel appointed to represent indigent persons charged with 54
 violations of the ordinances of the municipal corporation. 55

(1) In a county that adopts a resolution to pay counsel, an 56
 indigent person shall have the right to do either of the 57
 following: 58

(a) To select the person's own personal counsel to represent 59
 the person in any proceeding included within the provisions of the 60
 resolution; 61

(b) To request the court to appoint counsel to represent the 62
 person in such a proceeding. 63

(2) The court having jurisdiction over the proceeding in a 64
 county that adopts a resolution to pay counsel shall, after 65
 determining that the person is indigent and entitled to legal 66
 representation under this section, do either of the following: 67

(a) By signed journal entry recorded on its docket, enter the 68
 name of the lawyer selected by the indigent person as counsel of 69
 record; 70

(b) Appoint counsel for the indigent person if the person has 71
 requested the court to appoint counsel and, by signed journal 72
 entry recorded on its dockets, enter the name of the lawyer 73
 appointed for the indigent person as counsel of record. 74

(3) The board of county commissioners shall establish a 75
 schedule of fees by case or on an hourly basis to be paid to 76
 counsel for legal services provided pursuant to a resolution 77
 adopted under this section. Prior to establishing the schedule, 78
 the board of county commissioners shall request the bar 79

association or associations of the county to submit a proposed
 schedule for cases other than capital cases. The schedule
 submitted shall be subject to the review, amendment, and approval
 of the board of county commissioners, except with respect to
 capital cases. With respect to capital cases, the schedule shall
 provide for fees by case or on an hourly basis to be paid to
 counsel in the amount or at the rate set by the capital case
 attorney fee council pursuant to division (D) of this section, and
 the board of county commissioners shall approve that amount or
 rate.

(4) Counsel selected by the indigent person or appointed by
 the court at the request of an indigent person in a county that
 adopts a resolution to pay counsel, except for counsel appointed
 to represent a person charged with any violation of an ordinance
 of a municipal corporation that has not contracted with the county
 commissioners for the payment of appointed counsel, shall be paid
 by the county and shall receive the compensation and expenses the
 court approves. With respect to capital cases, the court shall
 approve compensation and expenses in accordance with the amount or
 at the rate set by the capital case attorney fee council pursuant
 to division (D) of this section. Each request for payment shall
 include a financial disclosure form completed by the indigent
 person on a form prescribed by the state public defender.
 Compensation and expenses shall not exceed the amounts fixed by
 the board of county commissioners in the schedule adopted pursuant
 to division (A)(3) of this section. No court shall approve
 compensation and expenses that exceed the amount fixed pursuant to
 division (A)(3) of this section.

The fees and expenses approved by the court shall not be
 taxed as part of the costs and shall be paid by the county.
 However, if the person represented has, or may reasonably be

expected to have, the means to meet some part of the cost of the 111
services rendered to the person, the person shall pay the county 112
an amount that the person reasonably can be expected to pay. 113
Pursuant to section 120.04 of the Revised Code, the county shall 114
pay to the state public defender a percentage of the payment 115
received from the person in an amount proportionate to the 116
percentage of the costs of the person's case that were paid to the 117
county by the state public defender pursuant to this section. The 118
money paid to the state public defender shall be credited to the 119
client payment fund created pursuant to division (B)(5) of section 120
120.04 of the Revised Code. 121

The county auditor shall draw a warrant on the county 122
treasurer for the payment of counsel in the amount fixed by the 123
court, plus the expenses the court fixes and certifies to the 124
auditor. The county auditor shall report periodically, but not 125
less than annually, to the board of county commissioners and to 126
the state public defender the amounts paid out pursuant to the 127
approval of the court. The board of county commissioners, after 128
review and approval of the auditor's report, or the county 129
auditor, with permission from and notice to the board of county 130
commissioners, may then certify it to the state public defender 131
for reimbursement. The state public defender may pay a requested 132
reimbursement only if the request for reimbursement includes a 133
financial disclosure form completed by the indigent person on a 134
form prescribed by the state public defender or if the court 135
certifies by electronic signature as prescribed by the state 136
public defender that a financial disclosure form has been 137
completed by the indigent person and is available for inspection. 138
If a request for the reimbursement of the cost of counsel in any 139
case is not received by the state public defender within ninety 140
days after the end of the calendar month in which the case is 141

finally disposed of by the court, unless the county has requested 142
 and the state public defender has granted an extension of the 143
 ninety-day limit, the state public defender shall not pay the 144
 requested reimbursement. The state public defender shall also 145
 review the report and, in accordance with the standards, 146
 guidelines, and maximums established pursuant to divisions (B)(7) 147
 and (8) of section 120.04 of the Revised Code and the payment 148
 determination provisions of section 120.34 of the Revised Code, 149
 prepare a voucher for the cost of each county appointed counsel 150
 system in the period of time covered by the certified report and a 151
 voucher for the costs and expenses that are reimbursable under 152
 section 120.35 of the Revised Code, if any. The amount of payments 153
 to be included in and made under the voucher shall be determined 154
 as specified in section 120.34 of the Revised Code. 155

(5) If any county appointed counsel system fails to maintain 156
 the standards for the conduct of the system established by the 157
 rules of the Ohio public defender commission pursuant to divisions 158
 (B) and (C) of section 120.03 or the standards established by the 159
 state public defender pursuant to division (B)(7) of section 160
 120.04 of the Revised Code, the Ohio public defender commission 161
 shall notify the board of county commissioners of the county that 162
 the county appointed counsel system has failed to comply with its 163
 rules or the standards of the state public defender. Unless the 164
 board of county commissioners corrects the conduct of its 165
 appointed counsel system to comply with the rules and standards 166
 within ninety days after the date of the notice, the state public 167
 defender may deny all or part of the county's reimbursement from 168
 the state provided for in division (A)(4) of this section. 169

(B) In lieu of using a county public defender or joint county 170
 public defender to represent indigent persons in the proceedings 171
 set forth in division (A) of section 120.16 of the Revised Code, 172

and in lieu of adopting the resolution and following the procedure 173
described in division (A) of this section, the board of county 174
commissioners of any county may contract with the state public 175
defender for the state public defender's legal representation of 176
indigent persons. A contract entered into pursuant to this 177
division may provide for payment for the services provided on a 178
per case, hourly, or fixed contract basis. For a county that has 179
entered into a contract with the state public defender under this 180
division, the state public defender shall reimburse one hundred 181
per cent of the eligible costs of the remaining indigent defense 182
needs of that county that are not covered by the contract. 183

(C) If a court appoints an attorney pursuant to this section 184
to represent a petitioner in a postconviction relief proceeding 185
under section 2953.21 of the Revised Code, the petitioner has 186
received a sentence of death, and the proceeding relates to that 187
sentence, the attorney who represents the petitioner in the 188
proceeding pursuant to the appointment shall be certified under 189
Rule 20 of the Rules of Superintendence for the Courts of Ohio to 190
represent indigent defendants charged with or convicted of an 191
offense for which the death penalty can be or has been imposed. 192

(D)(1) There is hereby created the capital case attorney fee 193
council, appointed as described in division (D)(2) of this 194
section. The council shall set an amount by case, or a rate on an 195
hourly basis, to be paid under this section to counsel in a 196
capital case. 197

(2) The capital case attorney fee council shall consist of 198
five members, all of whom shall be active judges serving on one of 199
the district courts of appeals in this state. Terms for council 200
members shall be the lesser of three years or until the member 201
ceases to be an active judge of a district court of appeals. The 202

initial terms shall commence ninety days after September 28, 2016. 203
 The chief justice of the supreme court shall appoint the members 204
 of the council, and shall make all of the appointments not later 205
 than sixty days after September 28, 2016. When any vacancy occurs, 206
 the chief justice shall appoint an active judge of a district 207
 court of appeals in this state to fill the vacancy for the 208
 unexpired term, in the same manner as prescribed in this division. 209
 The chief justice shall designate a chairperson from the appointed 210
 members of the council. Members of the council shall receive no 211
 additional compensation for their service as a member, but may be 212
 reimbursed for expenses reasonably incurred in service to the 213
 council, to be paid by the supreme court. The supreme court may 214
 provide administrative support to the council. 215

(3) The capital case attorney fee council initially shall 216
 meet not later than one hundred twenty days after September 28, 217
 2016. Thereafter, the council shall meet not less than annually. 218

(4) Upon setting the amount or rate described in division 219
 (D)(1) of this section, the chairperson of the capital case 220
 attorney fee council promptly shall provide written notice to the 221
 state public defender of the amount or rate so set. The amount or 222
 rate so set shall become effective ninety days after the date on 223
 which the chairperson provides that written notice to the state 224
 public defender. The council shall specify that effective date in 225
 the written notice provided to the state public defender. All 226
 amounts or rates set by the council shall be final, subject to 227
 modification as described in division (D)(5) of this section, and 228
 not subject to appeal. 229

(5) The capital case attorney fee council may modify an 230
 amount or rate set as described in division (D)(4) of this 231
 section. The provisions of that division apply with respect to any 232

such modification of an amount or rate." 233

In line 4546, after "120.34." insert "(A)"; reinsert "The"; 234
 delete "(A) Except as provided in division (D) of" 235

In line 4547, delete "this section, the" and insert "total 236
amount of money paid to counties in any fiscal year pursuant to 237
sections 120.08, 120.18, 120.28, 120.33, 120.35, and 2941.51 of 238
the Revised Code for the reimbursement of the counties' cost of 239
operating county public defender offices, joint county public 240
defender offices, and county appointed counsel systems, the 241
counties' costs and expenses of conducting the defense in capital 242
cases, and the counties' costs and expenses of appointed counsel 243
covered by section 2941.51 of the Revised Code shall be determined 244
as specified in this section. 245

(B) Except as provided in division (F) of this section, the 246
state public defender shall first pay one hundred per cent of the 247
eligible costs of indigent defense in counties that contract with 248
the state public defender pursuant to division (C)(7) of section 249
120.04 of the Revised Code or division (B) of section 120.33 of 250
the Revised Code. 251

(C) Except as provided in division (F) of this section, the"; 252
 delete "all"; after "counties" insert "not reimbursed under 253
division (B) of this section" 254

In line 4548, after "sections" insert "120.08," 255

In line 4558, strike through ", and shall be determined as" 256

In line 4559, strike through "specified in this section" 257

In line 4575, delete "(B)" and insert "(D)" 258

In line 4576, after "section" insert "120.08," 259

In line 4583, delete "(C)" and insert "(E)" 260

In line 4587, after "sections" insert "120.08," 261

In line 4589, delete "(D)" and insert "(F)" 262

In line 101235, after "120.08," insert "120.33," 263

In line 158129, delete "\$145,000,000 \$145,000,000" and insert 264
"\$166,096,000 \$171,912,000" 265

In line 158130, add \$21,096,000 to fiscal year 2024 and 266
\$26,912,000 to fiscal year 2025 267

In line 158145, add \$21,096,000 to fiscal year 2024 and 268
\$26,912,000 to fiscal year 2025 269

The motion was _____ agreed to.

SYNOPSIS

Indigent defense reimbursement 270

R.C. 120.04, 120.06, 120.08, 120.33, and 120.34 271

Requires the State Public Defender to prioritize 272
reimbursement for the costs of indigent defense to counties that 273
contract with the public defender for indigent defense so that 274
those counties are reimbursed 100% of the costs of indigent 275
defense before the remainder of reimbursement funds are allotted 276
proportionally to counties that do not contract with the public 277
defender for indigent defense. 278

Allows the State Public Defender to use up to 10% of amounts 279
received by the State Public Defender pursuant to an indigent 280
defense contract with a county public defender commission, a joint 281
county public defender commission, or a board of county 282
commissioners, to provide administrative or other personnel, 283

equipment, and facilities necessary to support the State Public	284
Defender office in that county or region.	285
Public Defender Commission	286
Section 371.10	287
Increases GRF ALI 019501, County Reimbursement, by	288
\$21,096,000 in FY year 2024 and \$26,912,000 in FY 2025.	289

_____ moved to amend as follows:

1 After line 155474, insert:

2 "Of the foregoing appropriation item 600689, TANF Block
3 Grant, \$200,000 in each fiscal year shall be provided, in
4 accordance with sections 5101.80 and 5101.801 of the Revised
5 Code, to Bethany House Services."

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Job and Family Services**

9 **Section 307.80**

10 Earmarks \$200,000 in each fiscal year in Fund 3V60 ALI
11 600689, TANF Block Grant, for Bethany House Services.

_____ moved to amend as follows:

1 After line 151477, insert:

2 "Of the foregoing appropriation item 1956A1, Water and
3 Sewer Quality Program, \$2,000,000 in fiscal year 2024 shall be
4 allocated to Kelleys Island for the design and planning of its
5 public sewer system."

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Development**

9 **Sections 259.10 and 259.20**

10 Earmarks \$2,000,000 under Fund 5CV3 ALI 1956A1, Water and
11 Sewer Quality Program, in FY 2024 for Kelleys Island to support
12 the design and planning of its public sewer system.

_____ moved to amend as follows:

1 In line 158189, delete the first "\$1,875,000" and insert
2 "\$2,875,000"

3 In line 158199, add \$1,000,000 to fiscal year 2024

4 In line 158265, add \$1,000,000 to fiscal year 2024

5 After line 158305, insert:

6 "STATE DISASTER RELIEF

7 Of the foregoing appropriation item 763408, State Disaster
8 Relief, up to \$1,000,000 in fiscal year 2024 shall be used to
9 reimburse eligible response costs for emergency management and
10 first responders in connection to the 2024 solar eclipse. The
11 Ohio Emergency Management Agency shall develop and release
12 guidance regarding eligibility.

13 On July 1, 2024, or as soon as possible thereafter, the
14 Director Public Safety shall certify to the Director of Budget
15 and Management the amount of the unexpended, unencumbered
16 balance of this earmark in fiscal year 2024. The amount
17 certified is hereby reappropriated to the appropriation item in
18 fiscal year 2025 for the same purpose."

19 The motion was _____ agreed to.

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SYNOPSIS

21

Department of Public Safety

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Sections 373.10 and 373.20

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Increases GRF ALI 763408, State Disaster Relief, by \$1,000,000 in fiscal year 2024 and requires the increase be used to reimburse eligible response costs for emergency management and first responders that were incurred in connection to the 2024 solar eclipse, as determined by guidelines outlined and released by the Ohio Emergency Management Agency.

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Requires the Director of Public Safety, on July 1, 2024, or as soon as possible thereafter, to certify to the Director of Budget and Management the amount of the unexpended, unencumbered, balance of this earmark in fiscal year 2024, and reappropriates that amount for the same purpose in fiscal year 2025.

_____ moved to amend as follows:

1 In line 152166, delete "\$5,798,000 \$5,798,000" and insert
2 "\$6,298,000 \$6,298,000"

3 In line 152168, add \$500,000 to each fiscal year

4 In line 152220, add \$500,000 to each fiscal year

5 After line 153521, insert:

6 "Of the foregoing appropriation item 200597, Program and
7 Project Support, up to \$500,000 in each fiscal year shall be
8 used for a pilot expansion of the City Connects program to at
9 least 32 schools. Funds shall be used to provide participating
10 schools with resources and technical assistance to provide
11 integrated student supports including, but not limited to,
12 academic opportunities, mentoring programs, and critical
13 nutritional, medical, and mental health services; build
14 collaborative leadership structures; and strengthen wraparound
15 services that support the needs of students, families, and
16 neighborhoods. An amount equal to the unexpended, unencumbered
17 balance of this set-aside at the end of fiscal year 2024 is
18 hereby reappropriated for the same purpose in fiscal year 2025."

19 The motion was _____ agreed to.

20

SYNOPSIS

21

Department of Education

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Sections 265.10 and 265.355

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Increases GRF ALI 200597, Program and Project Support, by \$500,000 in each fiscal year and earmarks the same amounts from that ALI for a pilot expansion of the City Connects program to at least 32 schools. Requires the funds to be used for various services and supports. Reappropriates the available balance of the earmark at the end of FY 2024 for the same purpose in FY 2025.

_____ moved to amend as follows:

1 After line 151650, insert:

2 "Of the foregoing appropriation item 1956G4, Cultural
3 Center Grant, \$500,000 in fiscal year 2024 shall be used for the
4 Cleveland Museum of Art."

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Department of Development**

8 **Section 259.30**

9 Earmarks \$500,000 in FY 2024 from Fund 5ZW0 ALI 1956G4,
10 Cultural Center Grant, for the Cleveland Museum of Art.

_____ moved to amend as follows:

1 After line 151650, insert:

2 "Of the foregoing appropriation item 1956G4, Cultural
3 Center Grant, \$500,000 in fiscal year 2024 shall be used for the
4 Cleveland Orchestra."

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Department of Development**

8 **Section 259.30**

9 Earmarks \$500,000 in FY 2024 from Fund 5ZW0 ALI 1956G4,
10 Cultural Center Grant, to be used for the Cleveland Orchestra.

_____ moved to amend as follows:

1 After line 151630, insert:

2 "Of the foregoing appropriation item 1956G2, Downtown
3 Development Grant, \$1,000,000 in fiscal year 2024 shall be used
4 to conduct a feasibility study, in conjunction with the Eastgate
5 Regional Council of Governments, examining infrastructure
6 improvements to enhance economic development in the City of
7 Warren in Trumbull County."

8 In line 151631, delete "foregoing" and insert "remainder
9 of"

10 In line 151634, delete "Of the" and insert "The"

11 In line 151635, delete "appropriated, \$50,000,000 in fiscal
12 year 2024"; delete "in" and insert "equally to"

13 The motion was _____ agreed to.

14 SYNOPSIS

15 **Department of Development**

16 **Section 259.30**

17 Earmarks \$1.0 million in FY 2024 from DPF ALI 1956G2,
18 Downtown Development Grant, to undertake a feasibility study in

HC2545X1

19 conjunction with the Eastgate Regional Council of Governments
20 that examines infrastructure improvements to enhance economic
21 development in the City of Warren, Trumbull County.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 199 of the title, after "3701.255," insert 1
"3702.3012, "; after "3727.131," insert "3727.25," 2

In line 596, after "3701.255," insert "3702.3012," 3

In line 597, after "3727.131," insert "3727.25," 4

After line 48969, insert: 5

"Sec. 3702.3012. (A) As used in this section, "surgical 6
smoke" and "surgical smoke evacuation system" have the same 7
meanings as in section 3727.25 of the Revised Code. 8

(B) Not later than one year after the effective date of this 9
section, each ambulatory surgical facility shall adopt and 10
implement a policy designed to prevent human exposure to surgical 11
smoke during any planned surgical procedure that is likely to 12
generate surgical smoke. The policy shall include the use of a 13
surgical smoke evacuation system. 14

(C) The director of health may adopt any rules the director 15
considers necessary to implement this section. The rules shall be 16
adopted in accordance with Chapter 119. of the Revised Code." 17

After line 51345, insert: 18

"Sec. 3727.25. (A) As used in this section: 19

(1) "Surgical smoke" means the airborne byproduct of an energy-generating device used in a surgical procedure, including smoke plume, bioaerosols, gases, laser-generated contaminants, and dust. 20
21
22
23

(2) "Surgical smoke evacuation system" means equipment designed to capture, filter, and eliminate surgical smoke at the point of origin, before the smoke makes contact with the eyes or respiratory tract of individuals. 24
25
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(B) Not later than one year after the effective date of this section, each hospital that offers surgical services shall adopt and implement a policy designed to prevent human exposure to surgical smoke during any planned surgical procedure that is likely to generate surgical smoke. The policy shall include the use of a surgical smoke evacuation system. 28
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(C) The director of health may adopt any rules the director considers necessary to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code." 34
35
36

The motion was _____ agreed to.

SYNOPSIS

Regulation of surgical smoke 37

R.C. 3702.3012 and 3727.25 38

Requires ambulatory surgical facilities and hospitals to 39
adopt and implement policies designed to prevent human exposure to 40

surgical smoke during planned surgical procedures.

41

Requires each policy to include the use of a surgical smoke
evacuation system.

42

43

_____ moved to amend as follows:

1 After line 92463, insert:

2 "(8) "Internal Revenue Code" means the Internal Revenue
3 Code as of the effective date of this amendment."

4 The motion was _____ agreed to.

5 SYNOPSIS

6 **Qualified energy projects**

7 **R.C. 5727.75**

8 Defines "Internal Revenue Code," for purposes of the
9 property tax exemption for qualified energy projects, as
10 extended and modified in the substitute bill, as the Internal
11 Revenue Code as it exists on the bill's 90-day effective date.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

After line 157000, insert: 1
"GRF 336XXX Digital Therapeutics \$1,000,000 \$0" 2
In line 157002, add \$1,000,000 to fiscal year 2024 3
In line 157033, add \$1,000,000 to fiscal year 2024 4
After line 157592, insert: 5
"**Section 337.____.** DIGITAL THERAPEUTICS 6
(A) As used in this section, "prescription digital 7
therapeutic approved or otherwise authorized for the treatment of 8
substance use disorders" and "prescription digital therapeutic" 9
means a class II medical device, as that term is described in 21 10
C.F.R. 860.3, that has been approved or otherwise authorized by 11
the United States Food and Drug Administration to deliver 12
therapeutic interventions for the treatment of substance use 13
disorders, including opioid use disorders. 14
(B) The Department of Mental Health and Addiction Services 15
shall acquire prescription digital therapeutics approved or 16
otherwise authorized for the treatment of substance use disorders 17
for the purpose of operating a pilot program to explore the 18
effectiveness of prescription digital therapeutics. Under the 19
pilot program, patients who have been diagnosed with a substance 20

use disorder, including an opioid use disorder, and have been
prescribed a digital therapeutic as part of treatment shall be
provided the prescribed digital therapeutic at no cost to the
patient.

(C) Each treatment provider that participates in the pilot
program shall identify patients who have been diagnosed with a
substance use disorder, including an opioid use disorder, and who
have been prescribed a digital therapeutic as part of treatment.
Patients who elect to use the prescribed digital therapeutic shall
be provided access to it by activating an access code.

The Department and treatment providers shall make best
efforts to include patient participants with varied demographic
backgrounds and experiences with substance use and opioid use
disorders. The use of prescription digital therapeutics by
participating patients may be in addition to any other treatment
for substance use and opioid use disorders, including
medication-assisted treatment and other behavioral health
services.

(D) The pilot program shall begin as soon as practicable
after the effective date of this section and shall be operated
until December 31, 2024, or until funds appropriated for the
program are expended, whichever occurs first.

(E) Not later than March 31, 2025, the Department shall
prepare a report, using data supplied by vendors of prescription
digital therapeutics and aggregated claims data, describing its
findings regarding the impact of the pilot program and submit it
to the chairpersons and ranking minority members of the standing
committees that consider health and human services issues in the
House of Representatives and the Senate. The report shall describe
all of the following:

(1) The population included in the pilot program; 51

(2) The successes and challenges of the program; 52

(3) Treatment access for pilot program participants; 53

(4) Participant satisfaction; 54

(5) Participant treatment goals and whether those goals were achieved; 55
56

(6) Impacts related to health equity; 57

(7) A comparison of hospitalization for program participants as compared to other patients of participating treatment providers who are being treated for substance use and opioid use disorders; 58
59
60

(8) Any recommendations for future coverage of prescription digital therapeutics. 61
62

(F) The foregoing appropriation item 336XXX, Digital Therapeutics, shall be used for the pilot program established by this section. 63
64
65

(G) An amount equal to the unexpended, unencumbered balance of appropriation item 336XXX, Digital Therapeutics, at the end of fiscal year 2024 is hereby reappropriated to the same appropriation item for the same purpose in fiscal year 2025." 66
67
68
69

The motion was _____ agreed to.

SYNOPSIS

Digital therapeutics pilot program 70

Sections 337.10 and 337.____ 71

Requires OhioMHAS to operate a pilot program to evaluate the 72

effectiveness of prescription digital therapeutics in treating	73
substance use disorders.	74
Requires OhioMHAS to submit a report to the General Assembly	75
by March 31, 2025, regarding the pilot program.	76
Appropriates \$1,000,000 in FY 2024 in new GRF ALI 336XXX,	77
Digital Therapeutics. Requires these funds to be used for the	78
digital therapeutics pilot program. Reappropriates the unexpended,	79
unencumbered balance of these funds for the same purpose in FY	80
2025.	81

_____ moved to amend as follows:

1 After line 151630, insert:

2 "Of the foregoing appropriation item 1956G2, Downtown
3 Development Grant, \$3,500,000 in fiscal year 2024 shall be
4 allocated to the Dayton Dragons to support stadium
5 improvements."

6 In line 151631, delete "foregoing" and insert "remainder
7 of"

8 In line 151634, delete "Of the" and insert "The"

9 In line 151635, delete "appropriated, \$50,000,000 in fiscal
10 year 2024"; delete "in" and insert "equally to"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Department of Development**

14 **Section 259.30**

15 Earmarks \$3,500,000 in FY 2024 under Fund 5ZU0 ALI 1956G2,
16 Downtown Development Grant, for the Dayton Dragons to support
17 stadium improvements.

_____ moved to amend as follows:

1 After line 158879a, insert:

2 "GRF 235xxx Educator Preparation Programs \$500,000 \$500,000"

3 In line 158881, add \$500,000 to each fiscal year

4 In line 158908, add \$500,000 to each fiscal year

5 After line 160362, insert:

6 **"Section 381.____.** EDUCATOR PREPARATION PROGRAMS

7 (A) (1) Of the foregoing appropriation item 235xxx, Educator
8 Preparation Programs, \$250,000 in each fiscal year shall be used
9 by the Chancellor of Higher Education to award competitive
10 grants of up to \$10,000 to institutions of higher education to
11 promote student teacher placement with teachers who:

12 (a) Received instruction in evidenced-based strategies
13 aligned to the science of reading;

14 (b) Use high quality instructional materials aligned to the
15 science of reading; and

16 (c) Implement a structured literacy approach in their
17 classrooms.

18 (2) The Chancellor shall establish procedures and criteria
19 for awarding the grants under this division.

20 (B) Of the foregoing appropriation item 235XXX, Educator
21 Preparation Programs, \$175,000 in each fiscal year shall be used
22 by the Chancellor to award competitive grants of up to \$20,000
23 to institutions of higher education to assist with aligning
24 their teacher preparation programs with the science of reading.
25 The Chancellor shall establish procedures and criteria for
26 awarding grants under this division.

27 (C) The remainder of the foregoing appropriation item
28 235XXX, Educator Preparation Programs, shall be used by the
29 Chancellor pursuant to section 3333.048 of the Revised Code."

30 The motion was _____ agreed to.

31 SYNOPSIS

32 **Department of Higher Education**

33 **Sections 381.10 and 381.____**

34 Establishes GRF ALI 235XXX, Educator Preparation Programs,
35 with appropriations of \$500,000 in each fiscal year, to be used
36 by the Chancellor of Higher Education to support educator
37 preparation programs. Earmarks the following, in each fiscal
38 year:

39 (1) \$250,000 to award competitive grants of up to \$10,000
40 to institutions of higher education to promote student teacher
41 placement with teachers that meet certain criteria;

42 (2) \$175,000 to award competitive grants of up to \$20,000
43 to support the science of reading at educator preparation
44 programs at institutions of higher education; and

45 (3) The remainder for the Chancellor to use for ODHE's
46 additional responsibilities related to teacher education

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47 programs and the science of reading, including developing an
48 auditing process that clearly documents the degree to which
49 every educator preparation is effectively teaching the science
50 of reading to preservice teachers, as specified in the current
51 version of the bill (R.C. 3333.048).

_____ moved to amend as follows:

1 After line 149623, insert:

2 "GRF 100043 Ohio Geographic Reference Information Program
3 \$7,000,000 \$0"

4 In line 149635, add \$7,000,000 to fiscal year 2024

5 In line 149671, add \$7,000,000 to fiscal year 2024

6 In line 149673, after "207.20." insert "OHIO GEOGRAPHIC
7 REFERENCE INFORMATION PROGRAM

8 The foregoing appropriation item 100043, Ohio Geographic
9 Reference Information Program, shall be used by the Director of
10 Administrative Services to create the Ohio Surface Water Model,
11 update Ohio's portion of the National Hydrography Dataset, and
12 update Ohio's portion of the Watershed Boundary Dataset. In
13 establishing the Ohio Surface Water Model, the Director may
14 cooperate with the United States Geological Survey, any relevant
15 state or federal agency, local governments, nonprofit entities,
16 and other entities that may benefit from a high-resolution
17 surface water dataset."

18 The motion was _____ agreed to.

19

SYNOPSIS

20

Department of Administrative Services

21

Sections 207.10 and 207.20

22

23

Appropriates \$7,000,000 in fiscal year 2024 under GRF ALI 100043, Ohio Geographic Reference Information Program.

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Requires ALI 100043 to be used by the DAS Director to create the Ohio Surface Water Model, update Ohio's portion of the National Hydrography Dataset, and update Ohio's portion of the Watershed Boundary Dataset.

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Allows the DAS Director to cooperate with the United States Geological Survey and any other relevant state or federal agency, local government or nonprofit entity.

_____ moved to amend as follows:

1 In line 213 of the title, after "5163.062," insert
2 "5163.063,"

3 In line 607, after "5163.062," insert "5163.063,"

4 In line 84549, strike through "the "Social Security Act,""

5 In line 84550, after "(VIII)" insert "of the "Social
6 Security Act""; after the comma insert an underlined quotation
7 mark

8 In line 84555, strike through "the "Social Security Act,""

9 In line 84556, after the first "(IX)" insert "of the
10 "Social Security Act""; after the comma insert an underlined
11 quotation mark

12 In line 84557, after "(C)" insert "The group consisting of
13 employed individuals with disabilities who are specified in
14 section 1902(a)(10)(A)(ii)(XIII) of the "Social Security Act,"
15 42 U.S.C. 1396a(a)(10)(A)(ii)(XIII);

16 (D)"

17 In line 84559, strike through "the "Social Security Act,""

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18 In line 84560, after the first "(XV)" insert "of the
19 "Social Security Act"; after the comma insert an underlined
20 quotation mark

21 In line 84561, strike through "(D)" and insert "(E)"

22 In line 84563, strike through "the "Social Security""

23 In line 84564, strike through "Act,""; after "(XVI)" insert
24 "of the "Social Security Act"; after the second comma insert an
25 underlined quotation mark

26 In line 84566, strike through "(E)" and insert "(F)"

27 In line 84567, strike through "the "Social Security Act,""

28 In line 84568, after "(XVII)" insert "of the "Social
29 Security Act"; after the comma insert an underlined quotation
30 mark

31 In line 84570, strike through "(F)" and insert "(G)"

32 In line 84571, strike through "the "Social"

33 In line 84572, strike through "Security Act,""; after
34 "(XVIII)" insert "of the "Social Security Act"; after the second
35 comma insert an underlined quotation mark

36 In line 84574, delete "(G)" and insert "(H)"

37 In line 84580, delete "(H)" and insert "(I)"

38 In line 84584, delete "(H)" and insert "(I)"

39 In line 84590, delete "(G)" and insert "(H)"

40 After line 84599, insert:

41 "Sec. 5163.063. The medicaid director shall adopt rules
42 under section 5163.02 of the Revised Code as necessary to
43 provide medicaid coverage for the optional eligibility group
44 described in section 1902(a)(10)(A)(ii)(XIII) of the "Social
45 Security Act," 42 U.S.C. 1396a(a)(10)(A)(ii)(XIII).

46 By requiring the medicaid program to provide coverage to
47 the optional eligibility group consisting of employed
48 individuals with disabilities under division (C) of section
49 5163.06 of the Revised Code, it is the intent of the general
50 assembly to establish medicaid coverage for employed individuals
51 with disabilities who are sixty-five years of age or older in a
52 manner that is consistent with the coverage provided to
53 individuals participating in the medicaid buy-in for workers
54 with disabilities program described in sections 5163.09 to
55 5163.098 of the Revised Code."

56 After line 156933, insert:

57 **"Section 333.XX** MEDICAID BUY IN FOR WORKERS WITH
58 DISABILITIES

59 Upon approval of a state plan amendment by the United
60 States Centers for Medicare and Medicaid Services authorizing
61 Medicaid coverage for the optional eligibility group specified
62 in section 1902(a)(10)(A)(ii)(XIII) of the "Social Security
63 Act," 42 U.S.C. 1396a(a)(10)(A)(ii)(XIII) and authorized under
64 sections 5163.06 and 5163.063 of the Revised Code, the Medicaid

65 Director may certify to the Director of Budget and Management
66 the necessary amount to pay for the optional eligibility group
67 described in this act in fiscal year 2025. Upon certification,
68 the necessary amounts, both state and federal shares, are hereby
69 appropriated to appropriation item 651525, Medicaid Health Care
70 Services."

71 In line 161538, delete "(H)" and insert "(I)"

72 After line 163631, insert:

73 **"Section 812.____.** The enactment by this act of section
74 5163.063 of the Revised Code takes effect one year after the
75 effective date of this section."

76 The motion was _____ agreed to.

77 SYNOPSIS

78 **Medicaid Buy-In for Workers with Disabilities program**

79 **R.C. 5163.06 and 5163.063; Section 812.____**

80 Requires the Medicaid program to cover the optional
81 eligibility group consisting of certain workers with
82 disabilities.

83 Declares the General Assembly's intent in requiring that
84 Medicaid cover the group described above is to provide coverage
85 consistent with Ohio's existing Medicaid Buy-In for Workers with
86 Disabilities program for workers with disabilities age 65 or
87 older.

88 Delays implementation of the Medicaid program's coverage of
89 the optional eligibility group described above for one year
90 after the bill's effective date.

91 **Department of Medicaid**

92 **Section 333.XX**

93 Allows the ODM Director to certify to the OBM Director the
94 amount necessary to pay for the optional eligibility group, and
95 upon certification, appropriates the necessary amounts, both
96 state and federal shares, in FY 2025 from GRF appropriation item
97 651525, Medicaid Health Care Services.

_____ moved to amend as follows:

1 In line 36795, after "means" delete the balance of the line

2 Delete line 36796

3 In line 36797, delete everything before the period and

4 insert, "any model of teaching students to read based on

5 meaning, structure and syntax, and visual cues"

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Three-cueing approach definition**

9 **R.C. 3313.6028 (A)**

10 Changes the definition of "three-cueing approach" to mean
11 any model of teaching students to read based on meaning,
12 structure and syntax, and visual cues. (The executive and
13 substitute bill define "three-cueing approach" as an
14 instructional method that encourages students to predict words
15 based on story structure, pictures, typical word order, letter
16 sounds, or other contextual cues.)

_____ moved to amend as follows:

1 In line 9376 delete "and" and insert ". Such improvements
2 include"

3 In line 9378, after "Code" insert "and electric
4 infrastructure improvements made by electric cooperatives and
5 municipal electric utilities as those utilities are defined in
6 section 4928.01 of the Revised Code"

7 In line 76327, after "of" insert "electric distribution"

8 In line 76330, delete "a" and insert "an electric
9 distribution"

10 In line 76335, delete "a" and insert "an electric
11 distribution"

12 Delete lines 76337 through 76346

13 In line 76347, delete "(D)" and insert "(C)"

14 Delete lines 76351 and 76352

15 After line 76352, insert "(D) "Net infrastructure
16 development costs" means any remaining costs of infrastructure
17 development incurred by an electric distribution utility, which
18 costs include an allowance for funds used during construction,
19 depreciation, return on equity, ongoing operation maintenance

20 and operation, and tax expenses directly attributable to the
21 economic development project, after netting the amount of any
22 funds received by the electric distribution utility from the all
23 Ohio future fund under section 126.62 of the Revised
24 Code. Infrastructure development costs include project planning
25 costs and the costs associated with obtaining the right of way
26 for such projects."

27 In line 76355, delete "a" and insert "an electric
28 distribution"

29 In line 76359, after the second "the" insert "electric
30 distribution"

31 In line 76370, after "the" insert "net"

32 In line 76380, after "of" insert "net"

33 The motion was _____ agreed to.

34 SYNOPSIS

35 **Electric utility infrastructure improvements under All Ohio**
36 **Future Fund**

37 **R.C. 126.62, 4928.85, and 4928.86**

38 Removes electric cooperatives from the infrastructure
39 development improvement project application and approval
40 procedures under the authority of the Public Utilities
41 Commission (PUCO) that the bill retains for electric
42 distribution utilities (EDUs).

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43 Allows electric infrastructure improvements made by
44 electric cooperatives and municipal electric utilities to
45 receive financial assistance from the All Ohio Future Fund.

46 Changes cost collection allowed under a PUCO-approved
47 electric infrastructure development project from the collection
48 of infrastructure development costs to the collection of *net*
49 infrastructure development costs.

50 Changes the definition of "infrastructure development
51 costs" to "net infrastructure development costs" by combining
52 the definition of infrastructure development costs in the bill
53 with the method of determining the costs remaining after netting
54 the amount of the funds the EDU receives from the Fund.

_____ moved to amend as follows:

1 In line 152166, delete the first "\$5,798,000" and insert
2 "\$6,548,000"

3 In line 152168, add \$750,000 to fiscal year 2024

4 In line 152220, add \$750,000 to fiscal year 2024

5 After line 153533, insert:

6 "Of the foregoing appropriation item 200597, Program and
7 Project Support, \$750,000 in fiscal year 2024 shall be used to
8 support the J. Harrington & Marie E. Glidden Foundation to
9 support the high school education of students with multiple
10 disabilities, including Autism and Down Syndrome. An amount
11 equal to the unexpended, unencumbered balance of this set aside
12 at the end of fiscal year 2024, is hereby reappropriated for the
13 same purpose in fiscal year 2025."

14 The motion was _____ agreed to.

15

SYNOPSIS

16

Department of Education

17

Sections 265.10 and 265.355

18

Increases GRF ALI 200597, Program and Project Support, by
19 \$750,000 in fiscal year 2024, and earmarks this amount to be
20 used to support the J. Harrington & Marie E. Glidden Foundation
21 to support the high school education of students with multiple
22 disabilities, including Autism and Down Syndrome. Reappropriates
23 the unused balance of the set aside at the end of FY 2024 for
24 the same purpose in FY 2025.

_____ moved to amend as follows:

1 After line 155449, insert:

2 "Of the foregoing appropriation item 600689, TANF Block
3 Grant, \$1,200,000 in fiscal year 2024 shall be provided, in
4 accordance with sections 5101.80 and 5101.801 of the Revised
5 Code, to Birthing Beautiful Communities in Cleveland."

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Job and Family Services**

9 **Section 307.80**

10 Earmarks \$1,200,000 in FY 2024 in Fund 3V60 ALI 600689,
11 TANF Block Grant, and requires funds to be distributed to
12 Birthing Beautiful Communities in Cleveland.

_____ moved to amend as follows:

1 In line 151176, delete "\$11,550,000 \$11,550,000" and
2 insert "\$11,850,000 \$11,675,000"

3 In line 151181, add \$300,000 to fiscal year 2024 and
4 \$125,000 to fiscal year 2025

5 In line 151261, add \$300,000 to fiscal year 2024 and
6 \$125,000 to fiscal year 2025

7 After line 151391, insert:

8 "Of the foregoing appropriation item 195503, Local
9 Development Projects, \$300,000 in fiscal year 2024 and \$125,000
10 in fiscal year 2025 shall be allocated to the Buckeye Lake
11 Region Corporation for operating expenses associated with
12 community development activities in the Buckeye Lake region,
13 including, but not limited to, development planning, technical
14 assistance for small businesses, and community clean energy
15 projects."

16 The motion was _____ agreed to.

17

SYNOPSIS

18

Department of Development

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Sections 259.10 and 259.20

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Increases GRF ALI 195503, Local Development Projects, by \$300,000 in FY 2024 and \$125,000 in FY 2025 and earmarks the increased amount for the Buckeye Lake Region Corporation for operating expenses associated with community development activities in the Buckeye Lake region.

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Specifies the funding under the above earmark can be used for, but not limited to, development planning, technical assistance for small businesses, and community clean energy projects.

_____ moved to amend as follows:

1 After line 158185a, insert:

2 "GRF 761409 eWarrant Local Integration \$2,500,000 \$2,500,000"

3 In line 158199, add \$2,500,000 to each fiscal year

4 In line 158265, add \$2,500,000 to each fiscal year

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Department of Public Safety**

8 **Section 373.10**

9 Restores GRF ALI 761409, eWarrant Local Integration, with
10 an appropriation of \$2,500,000 in each fiscal year (same as the
11 As Introduced amounts).

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

- In line 151214, delete "\$62,000,000" and insert "\$72,000,000" 1
- In line 151215, add \$10,000,000 to fiscal year 2024 2
- In line 151261, add \$10,000,000 to fiscal year 2024 3
- In line 151658, delete "The" and insert "Of the"; after the 4
second comma insert "\$62,000,000" 5
- After line 151660, insert: 6
- "Of the foregoing appropriation item 1956G7, Local Projects, 7
\$10,000,000 in fiscal year 2024 shall be allocated to Ohio State 8
University for the Multispecies Animal Learning Center." 9
- In line 162592, delete "\$62,000,000" and insert "\$72,000,000" 10

The motion was _____ agreed to.

SYNOPSIS

- Department of Development** 11
- Sections 259.10 and 259.30** 12
- Increases Local Projects Fund (Fund 5ZZ0) ALI 1956G7, Local 13
Projects, by \$10,000,000 in fiscal year 2024 and earmarks the 14

amount for Ohio State University for the Multispecies Animal	15
Learning Center.	16
FY 2023 General Revenue Fund ending balance	17
Section 513.10	18
Increases the amount of cash that must be transferred to the	19
Local Projects Fund (Fund 5ZZ0) from the surplus balance in the	20
GRF at the end of FY 2023 from \$62,000,000 to \$72,000,000.	21

_____ moved to amend as follows:

1 After line 157745a, insert:

2 "5180 725XXX Oil and Gas Roadway Repair \$12,000,000 \$0"

3 In line 157769, add \$12,000,000 to fiscal year 2024

4 In line 157801, add \$12,000,000 to fiscal year 2024

5 After line 157893, insert:

6 "OIL AND GAS ROADWAY REPAIR

7 The foregoing appropriation item 725XXX, Oil and Gas
8 Roadway Repair, shall be used to provide grants to county
9 engineers and boards of township trustees for use in repairing
10 roads. The Director of Natural Resources shall award grants to
11 county engineers and boards of township trustees in the ten
12 counties with the highest production of oil and natural gas from
13 horizontal wells. The total amount distributed in each county
14 shall be proportionate to each county's production of oil and
15 natural gas from horizontal wells.

16 An amount equal to the unexpended, unencumbered balance
17 remaining in appropriation item 725XXX at the end of fiscal year
18 2024 is hereby reappropriated for the same purpose in fiscal
19 year 2025."

20 The motion was _____ agreed to.

21 SYNOPSIS

22 **Department of Natural Resources**

23 **Sections 343.10 and 343.30**

24 Appropriates \$12,000,000 in FY 2024 under Oil and Gas Well
25 Fund (Fund 5180) ALI 725XXX, Oil and Gas Roadway Repair.

26 Requires ALI 725XXX to be used to provide grants to county
27 engineers and boards of township trustees in the ten counties
28 with the highest production of oil and natural gas from
29 horizontal wells to be used to repair roads.

30 Requires that the total amount distributed in each county
31 be proportionate to each county's production of oil and natural
32 gas from horizontal wells.

33 Reappropriates the available balance remaining in ALI
34 725XXX at the end of FY 2024 for the same purpose in FY 2025.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 10 of the title, after "122.1710," insert "122.23,
122.27," 1
2

In line 457, after "122.1710," insert "122.23, 122.27," 3

After line 6912, insert: 4

"**Sec. 122.23.** As used in sections 122.23 to 122.27 of the 5
Revised Code: 6

(A) "Distressed area" means a county with a population of 7
less than one hundred twenty-five thousand that meets at least two 8
of the following criteria of economic distress: 9

(1) Its average rate of unemployment, during the most recent 10
five-year period for which data are available, is equal to at 11
least one hundred twenty-five per cent of the average rate of 12
unemployment for the United States for the same period. 13

(2) It has a per capita income equal to or below eighty per 14
cent of the median county per capita income of the United States 15
as determined by the most recently available figures from the 16
United States census bureau. 17

(3) In intercensal years, the county has a ratio of transfer 18
payment income to total county income equal to or greater than 19
twenty-five per cent. 20

(B) "Eligible applicant" means any of the following that is designated by the governing body of an eligible area as provided in division (B)(1) of section 122.27 of the Revised Code:

(1) A port authority as defined in division (A) of section 4582.01 or division (A) of section 4582.21 of the Revised Code;

(2) A community improvement corporation as defined in section 1724.01 of the Revised Code;

(3) A community-based organization or action group that provides social services and has experience in economic development;

(4) Any other nonprofit economic development entity;

(5) A private developer that previously has not received financial assistance under section 122.24 of the Revised Code in the current biennium and that has experience and a successful history in industrial development.

(C) "Eligible area" means a distressed area, a labor surplus area, a rural area, or a situational distress area, as designated annually by the director of development pursuant to division (A) of section 122.25 of the Revised Code.

(D) "Labor surplus area" means an area designated as a labor surplus area by the United States department of labor.

(E) "Official poverty line" has the same meaning as in division (A) of section 3923.51 of the Revised Code.

(F) "Situational distress area" means a county that has a population of less than one hundred twenty-five thousand, or a municipal corporation in such a county, that has experienced or is experiencing a closing or downsizing of a major employer that will adversely affect the county's or municipal corporation's economy.

In order to be designated as a situational distress area for a
 period not to exceed thirty-six months, the county or municipal
 corporation may petition the director of development. The petition
 shall include documentation that demonstrates all of the
 following:

(1) The number of jobs lost by the closing or downsizing;

(2) The impact that the job loss has on the county's or
 municipal corporation's unemployment rate as measured by the
 director of job and family services;

(3) The annual payroll associated with the job loss;

(4) The amount of state and local taxes associated with the
 job loss;

(5) The impact that the closing or downsizing has on the
 suppliers located in the rural county or municipal corporation.

(G) "Governing body" means, in the case of a county, the
 board of county commissioners; in the case of a municipal
 corporation, the legislative authority; and in the case of a
 township, the board of township trustees.

(H) "Infrastructure improvements" includes site preparation,
 including building demolition and removal; retention ponds and
 flood and drainage improvements; streets, roads, bridges, and
 traffic control devices; parking lots and facilities; water and
 sewer lines and treatment plants; gas, electric, and
 telecommunications hook-ups; and waterway and railway access
 improvements.

(I) "Private developer" means any individual, firm,
 corporation, or entity, other than a nonprofit entity, limited
 profit entity, or governmental entity.

(J) "Rural area" means any Ohio county that was an eligible
area immediately prior to ~~the effective date of this amendment~~
September 30, 2021, and any other Ohio county that is not
designated as part of a metropolitan statistical area by the
United States office of management and budget.

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Sec. 122.27. (A) In order to be eligible for financial 82
 assistance under section 122.24 of the Revised Code, an applicant 83
 shall demonstrate to the director of development the applicant's 84
 capacity to undertake and oversee the project, as evidenced by 85
 documentation of the applicant's past performance in economic 86
 development projects. 87

(B) In order for an applicant to be eligible for financial 88
 assistance under section 122.24 of the Revised Code, both of the 89
 following apply: 90

(1) The governing body of the entity that has been designated 91
 as an eligible area by the director of development under division 92
 (A) of section 122.25 of the Revised Code, by resolution or 93
 ordinance, shall designate the applicant that will carry out the 94
 project for the purposes described in section 122.24 of the 95
 Revised Code and specify the eligible area's financial 96
 participation in the project. 97

(2) The board of county commissioners of a county that has 98
 been designated as an eligible area by the director of development 99
 under division (A)(1) of section 122.25 of the Revised Code shall 100
 certify, by resolution, that no existing industrial park is 101
 located in the county that would compete against an industrial 102
 park that would be developed and improved in the county through 103
 the use of financial assistance provided to the applicant under 104
 the rural industrial park loan program. Guidelines regarding 105
 situations in which industrial parks would be considered to 106
 compete against one another shall be established by rule in 107
 accordance with division (A)(8)(d) of section 122.25 of the 108
 Revised Code. However, an existing industrial park owner's consent 109
to the new industrial park is sufficient to demonstrate 110
noncompetition. 111

(C) Solely for the purpose of applying for assistance for
 infrastructure improvements, a governing body may designate itself
 as an eligible applicant."

In line 101237, after "122.1710," insert "122.23, 122.27,"

In line 151221, delete "\$15,000,000 \$15,000,000" and insert
 "\$20,000,000 \$20,000,000"

In line 151226, add \$5,000,000 to each fiscal year

In line 151261, add \$5,000,000 to each fiscal year

In line 151683, after "**259.50.**" delete "CAPITAL ACCESS LOAN
 PROGRAM" and insert "RURAL INDUSTRIAL PARK LOAN

The foregoing appropriation item 195647, Rural Industrial
 Park Loan, shall be used to award loans under the Rural Industrial
 Park Loan Program established in section 122.24 of the Revised
 Code. Loans awarded under the appropriation item shall not exceed
 \$4,000,000.

CAPITAL ACCESS LOAN PROGRAM"

In line 151709, delete "\$30,000,000" and insert "\$40,000,000"

The motion was _____ agreed to.

SYNOPSIS

Rural Industrial Park Loan Program 129

R.C. 122.23 130

Allows a developer who previously received financial
 assistance under the Rural Industrial Park Loan Program and who,
 consequently, is currently ineligible to receive additional

financial assistance to apply for and receive additional	134
assistance, provided the developer did not receive any previous	135
assistance in the current biennium.	136
Regarding the Program eligibility criterion that prohibits a	137
proposed industrial park from competing with an existing	138
industrial park in the same county, specifies that the consent of	139
the existing industrial park's owner demonstrates noncompetition.	140
Department of Development	141
Sections 259.10 and 259.50	142
Increases Rural Industrial Park Loan Fund (Fund 4Z60) ALI	143
195647, Rural Industrial Park Loan, by \$5,000,000 to each fiscal	144
year to bring the total appropriation to \$20,000,000 in each	145
fiscal year.	146
Increases the transfer from the Innovation Ohio Loan Fund	147
(Fund 7009) to Fund 4Z60 from \$30,000,000 to \$40,000,000 to	148
support the increased appropriation under the above ALI.	149
Requires loans awarded under the above ALI to not exceed	150
\$4,000,000.	151

_____ moved to amend as follows:

- 1 Delete lines 158887 and 158887a
- 2 In line 158896, subtract \$2,500,000 from each fiscal year
- 3 In line 158908, subtract \$2,500,000 from each fiscal year
- 4 Delete lines 160469 through 160518

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Department of Higher Education**

8 **Sections 381.10 and 381.620**

9 Eliminates Fund 5CV3 ALI 235698, Internship Pilot Program,
10 with appropriations of \$2,500,000 in each fiscal year.

_____ moved to amend as follows:

1 In line 157751, delete "\$5,000,000" and insert "\$8,500,000"

2 In line 157769, add \$3,500,000 to fiscal year 2024

3 In line 157801, add \$3,500,000 to fiscal year 2024

4 In line 157895, delete "The" and insert "Of the"

5 In line 157896, after "Projects," insert "\$5,000,000 in
6 fiscal year 2024"

7 After line 157897, insert:

8 "Of the foregoing appropriation item 7256A3, ARPA - Special
9 Projects, \$3,500,000 in fiscal year 2024 shall be used to
10 support the Mentor Erosion Mitigation Project."

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Department of Natural Resources**

14 **Sections 343.10 and 343.30**

15 Increases FY 2024 appropriations under Fund 5CV3 ALI
16 7256A3, ARPA - Special Projects, by \$3,500,000 to a total of
17 \$8,500,000. Earmarks the increased amount to support the Mentor
18 Erosion Mitigation Project.

_____ moved to amend as follows:

1 After line 151477, insert:

2 "Of the foregoing appropriation item 1956A1, Water and
3 Sewer Quality Program, \$5,000,000 in fiscal year 2024 shall be
4 used to support the Bacon Road Pump Station construction project
5 in Lake County."

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Development**

9 **Section 259.30**

10 Earmarks \$5.0 million in FY 2024 from Fund 5CV3 ALI 1956A1,
11 Water and Sewer Quality Program, for the Bacon Road Pump Station
12 project in Lake County.

_____ moved to amend as follows:

1 In line 99 of the title, delete "3923.332,"

2 In line 523, delete "3923.332,"

3 Delete lines 57390 through 57462

4 In line 101303, delete "3923.332,"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Medicare supplement policy solicitations**

8 **R.C. 3923.332 (removed)**

9 Removes provisions added by the House substitute bill that
10 would have prohibited the Superintendent of Insurance from
11 disallowing print solicitation, in-person solicitations at a
12 person's residence or in common areas, or telephonic or
13 electronic solicitation of Medicare supplement policies.

_____ moved to amend as follows:

- 1 In line 157, delete "5703.02,"
- 2 In line 565, delete "5703.02,"
- 3 Delete lines 88716 through 88774
- 4 In line 101345, delete "5703.02,"
- 5 In line 161117, delete "\$2,235,000" and insert "\$2,085,000"
- 6 In line 161118, subtract \$150,000 from fiscal year 2024
- 7 In line 161119, subtract \$150,000 from fiscal year 2024
- 8 Delete lines 161120 through 161125

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Board of Tax Appeals hearing recordings; technology**

12 **R.C. 5703.02; Section 407.10**

13 Removes a requirement, added by the substitute bill, that
14 the Board of Tax Appeals create audio or video recordings of all
15 hearings conducted by the board. Decreases GRF ALI 116321,
16 Operating Expenses, by \$150,000 in FY 2024, and removes an
17 earmark designating the additional appropriation to make
18 technology upgrades. This has the effect of increasing GRF
19 revenue available for other uses.

_____ moved to amend as follows:

1 Delete lines 21193 through 21200

2 In line 21201, delete "occurred" and insert:

3 "(2) For any fee collected after the first five hundred
4 thousand barrels in a calendar year, if the well where the
5 injection of the substance occurred is located entirely in an
6 incorporated area of the county in which the well is located, to
7 that county;

8 (3) For any fee collected after the first five hundred
9 thousand barrels in a calendar year, if the well where the
10 injection of the substance occurred is located wholly or
11 partially in an unincorporated area of the county in which the
12 well is located:

13 (a) Fifty per cent of the fee to that county;

14 (b) Fifty per cent of the fee to the township where the
15 injection of the substance occurred"

16 The motion was _____ agreed to.

17

SYNOPSIS

18

Oil and gas brine injection well fee

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R.C. 1509.22

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Regarding the bill's allocation of brine injection well fees charged by an injection well owner on amounts received in excess of 500,000 barrels in a calendar year, does the following:

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1. Removes the bill's allocation of 50% of the fees to ODNR's Division of Oil and Gas Resources Management;

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2. Removes the bill's requirement that the remaining 50% be allocated to the county in which the well is located if the well is in an incorporated portion of the county or to the township in which the well is located if the well is in the unincorporated portion of the county; and

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3. Instead, allocates 100% of the fees to the county in which the well is located if the well is in an incorporated portion of the county, or 50% to the county and 50% to the applicable township if the well is located in an unincorporated portion of the county.

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Retains the bill's (and current law's) provisions that require the well owner to remit the fee collected on the first 500,000 barrels to ODNR's Division of Oil and Gas Resources Management.

_____ moved to amend as follows:

1 In line 18490, after "notice" insert ", up to one hundred
2 fifty dollars"

3 In line 18996, after "notice" insert ", up to one hundred
4 fifty dollars"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Municipal income tax: prohibited notice reimbursement**

8 **R.C. 718.05(G) (5) and 718.85**

9 Limits, to \$150, the amount a municipality or the state
10 must reimburse a municipal income taxpayer for costs incurred by
11 the taxpayer to respond to a tax inquiry or notice delivered
12 following receipt of a filing extension - a practice prohibited
13 by the substitute bill.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 116 of the title, after "4730.25," insert "4731.07,"; 1
after "4731.22," insert "4731.224, 4731.24, 4731.25," 2

In line 203 of the title, after "4745.05," insert "4787.01, 3
4787.02, 4787.03, 4787.04, 4787.05, 4787.06, 4787.07, 4787.08, 4
4787.09, 4787.10, 4787.11, 4787.12, 4787.13, 4787.14, 4787.99," 5

In line 535, after "4730.25," insert "4731.07,"; after 6
"4731.22," insert "4731.224, 4731.24, 4731.25," 7

In line 599, after "4745.05," insert "4787.01, 4787.02, 8
4787.03, 4787.04, 4787.05, 4787.06, 4787.07, 4787.08, 4787.09, 9
4787.10, 4787.11, 4787.12, 4787.13, 4787.14, 4787.99," 10

In line 2369, strike through "or" 11

In line 2370, after 4783.04, insert ", or 4787.05" 12

After line 66991, insert: 13

"**Sec. 4731.07.** (A) The state medical board shall keep a 14
record of its proceedings. The minutes of a meeting of the board 15
shall, on approval by the board, constitute an official record of 16
its proceedings. 17

(B) The board shall keep a register of applicants for 18
licenses and certificates issued under this chapter; licenses 19

issued under Chapters 4730., 4760., 4762., 4774., and 4778.; and
 licenses and limited permits issued under Chapters 4759. and 4761.
 of the Revised Code; and applicants for licenses, licenses issued,
 and licenses suspended or revoked under Chapter 4787. of the
 Revised Code. The register shall show the name of the applicant
 and whether the applicant was granted or refused the license,
 certificate, or limited permit being sought.

With respect to applicants to practice medicine and surgery
 or osteopathic medicine and surgery, the register shall show the
 name of the institution that granted the applicant the degree of
 doctor of medicine or osteopathic medicine. With respect to
 applicants to practice respiratory care, the register shall show
 the addresses of the person's last known place of business and
 residence, the effective date and identification number of the
 license or limited permit, and, if applicable, the name and
 location of the institution that granted the person's degree or
 certificate of completion of respiratory care educational
 requirements and the date the degree or certificate of completion
 was issued.

(C) The books and records of the board shall be prima-facie
 evidence of matters therein contained."

After line 67751, insert:

"**Sec. 4731.224.** (A) Within sixty days after the imposition of
 any formal disciplinary action taken by any health care facility,
 including a hospital, health care facility operated by a health
 insuring corporation, ambulatory surgical center, or similar
 facility, against any individual holding a valid license or
 certificate to practice issued pursuant to this chapter, the chief
 administrator or executive officer of the facility shall report to

the state medical board the name of the individual, the action 49
 taken by the facility, and a summary of the underlying facts 50
 leading to the action taken. Upon request, the board shall be 51
 provided certified copies of the patient records that were the 52
 basis for the facility's action. Prior to release to the board, 53
 the summary shall be approved by the peer review committee that 54
 reviewed the case or by the governing board of the facility. As 55
 used in this division, "formal disciplinary action" means any 56
 action resulting in the revocation, restriction, reduction, or 57
 termination of clinical privileges for violations of professional 58
 ethics, or for reasons of medical incompetence or medical 59
 malpractice. "Formal disciplinary action" includes a summary 60
 action, an action that takes effect notwithstanding any appeal 61
 rights that may exist, and an action that results in an individual 62
 surrendering clinical privileges while under investigation and 63
 during proceedings regarding the action being taken or in return 64
 for not being investigated or having proceedings held. "Formal 65
 disciplinary action" does not include any action taken for the 66
 sole reason of failure to maintain records on a timely basis or 67
 failure to attend staff or section meetings. 68

The filing or nonfiling of a report with the board, 69
 investigation by the board, or any disciplinary action taken by 70
 the board, shall not preclude any action by a health care facility 71
 to suspend, restrict, or revoke the individual's clinical 72
 privileges. 73

In the absence of fraud or bad faith, no individual or entity 74
 that provides patient records to the board shall be liable in 75
 damages to any person as a result of providing the records. 76

(B)(1) Except as provided in division (B)(2) of this section, 77
 if any individual authorized to practice under this chapter or any 78

professional association or society of such individuals believes 79
 that a violation of any provision of this chapter, Chapter 4730., 80
 4759., 4760., 4761., 4762., 4774., ~~or 4778.~~, or 4787. of the 81
 Revised Code, or any rule of the board has occurred, the 82
 individual, association, or society shall report to the board the 83
 information upon which the belief is based. 84

(2) If any individual authorized to practice under this 85
 chapter or any professional association or society of such 86
 individuals believes that a violation of division (B)(26) of 87
 section 4731.22 of the Revised Code has occurred, the individual, 88
 association, or society shall report the information upon which 89
 the belief is based to the monitoring organization conducting the 90
 program established by the board under section 4731.251 of the 91
 Revised Code. If any such report is made to the board, it shall be 92
 referred to the monitoring organization unless the board is aware 93
 that the individual who is the subject of the report does not meet 94
 the program eligibility requirements of section 4731.252 of the 95
 Revised Code. 96

(C) Any professional association or society composed 97
 primarily of doctors of medicine and surgery, doctors of 98
 osteopathic medicine and surgery, doctors of podiatric medicine 99
 and surgery, or practitioners of limited branches of medicine that 100
 suspends or revokes an individual's membership for violations of 101
 professional ethics, or for reasons of professional incompetence 102
 or professional malpractice, within sixty days after a final 103
 decision shall report to the board, on forms prescribed and 104
 provided by the board, the name of the individual, the action 105
 taken by the professional organization, and a summary of the 106
 underlying facts leading to the action taken. 107

The filing of a report with the board or decision not to file 108

a report, investigation by the board, or any disciplinary action 109
 taken by the board, does not preclude a professional organization 110
 from taking disciplinary action against an individual. 111

(D) Any insurer providing professional liability insurance to 112
 an individual authorized to practice under this chapter, or any 113
 other entity that seeks to indemnify the professional liability of 114
 such an individual, shall notify the board within thirty days 115
 after the final disposition of any written claim for damages where 116
 such disposition results in a payment exceeding twenty-five 117
 thousand dollars. The notice shall contain the following 118
 information: 119

(1) The name and address of the person submitting the 120
 notification; 121

(2) The name and address of the insured who is the subject of 122
 the claim; 123

(3) The name of the person filing the written claim; 124

(4) The date of final disposition; 125

(5) If applicable, the identity of the court in which the 126
 final disposition of the claim took place. 127

(E) The board may investigate possible violations of this 128
 chapter or the rules adopted under it that are brought to its 129
 attention as a result of the reporting requirements of this 130
 section, except that the board shall conduct an investigation if a 131
 possible violation involves repeated malpractice. As used in this 132
 division, "repeated malpractice" means three or more claims for 133
 medical malpractice within the previous five-year period, each 134
 resulting in a judgment or settlement in excess of twenty-five 135
 thousand dollars in favor of the claimant, and each involving 136
 negligent conduct by the practicing individual. 137

(F) All summaries, reports, and records received and 138
 maintained by the board pursuant to this section shall be held in 139
 confidence and shall not be subject to discovery or introduction 140
 in evidence in any federal or state civil action involving a 141
 health care professional or facility arising out of matters that 142
 are the subject of the reporting required by this section. The 143
 board may use the information obtained only as the basis for an 144
 investigation, as evidence in a disciplinary hearing against an 145
 individual whose practice is regulated under this chapter, or in 146
 any subsequent trial or appeal of a board action or order. 147

The board may disclose the summaries and reports it receives 148
 under this section only to health care facility committees within 149
 or outside this state that are involved in credentialing or 150
 recredentialing the individual or in reviewing the individual's 151
 clinical privileges. The board shall indicate whether or not the 152
 information has been verified. Information transmitted by the 153
 board shall be subject to the same confidentiality provisions as 154
 when maintained by the board. 155

(G) Except for reports filed by an individual pursuant to 156
 division (B) of this section, the board shall send a copy of any 157
 reports or summaries it receives pursuant to this section to the 158
 individual who is the subject of the reports or summaries. The 159
 individual shall have the right to file a statement with the board 160
 concerning the correctness or relevance of the information. The 161
 statement shall at all times accompany that part of the record in 162
 contention. 163

(H) An individual or entity that, pursuant to this section, 164
 reports to the board, reports to the monitoring organization 165
 described in section 4731.251 of the Revised Code, or refers an 166
 impaired practitioner to a treatment provider approved by the 167

board under section 4731.25 of the Revised Code shall not be 168
 subject to suit for civil damages as a result of the report, 169
 referral, or provision of the information. 170

(I) In the absence of fraud or bad faith, no professional 171
 association or society of individuals authorized to practice under 172
 this chapter that sponsors a committee or program to provide peer 173
 assistance to practitioners with substance abuse problems, no 174
 representative or agent of such a committee or program, no 175
 representative or agent of the monitoring organization described 176
 in section 4731.251 of the Revised Code, and no member of the 177
 state medical board shall be held liable in damages to any person 178
 by reason of actions taken to refer a practitioner to a treatment 179
 provider approved under section 4731.25 of the Revised Code for 180
 examination or treatment. 181

Sec. 4731.24. Except as provided in sections 4731.281 and 182
 4731.40 of the Revised Code, all receipts of the state medical 183
 board, from any source, shall be deposited in the state treasury. 184
 The funds shall be deposited to the credit of the state medical 185
 board operating fund, which is hereby created. Except as provided 186
 in sections 4730.252, 4731.225, 4731.24, 4759.071, 4760.133, 187
 4761.091, 4762.133, 4774.133, and 4778.141 of the Revised Code, 188
 all funds deposited into the state treasury under this section 189
 shall be used solely for the administration and enforcement of 190
 this chapter and Chapters 4730., 4759., 4760., 4761., 4762., 191
 4774., ~~and~~ 4778., and 4787. of the Revised Code by the board. 192

Sec. 4731.25. The state medical board, in accordance with 193
 Chapter 119. of the Revised Code, shall adopt and may amend and 194
 rescind rules establishing standards for approval of physicians 195
 and facilities as treatment providers for practitioners suffering 196

or showing evidence of suffering impairment as described in 197
 division (B)(5) of section 4730.25, division (B)(26) of section 198
 4731.22, division (A)(18) of section 4759.07, division (B)(6) of 199
 section 4760.13, division (A)(18) of section 4761.09, division 200
 (B)(6) of section 4762.13, division (B)(6) of section 4774.13, ~~or~~ 201
 division (B)(6) of section 4778.14, or division (C)(4) of section 202
4787.10 of the Revised Code. The rules shall include standards for 203
 both inpatient and outpatient treatment and for care and 204
 monitoring that continues after treatment. The rules shall provide 205
 that in order to be approved, a treatment provider must have the 206
 capability of making an initial examination to determine what type 207
 of treatment an impaired practitioner requires. Subject to the 208
 rules, the board shall review and approve treatment providers on a 209
 regular basis. The board, at its discretion, may withdraw or deny 210
 approval subject to the rules. 211

An approved impaired practitioner treatment provider shall do 212
 all of the following: 213

(A) Report to the board the name of any practitioner 214
 suffering or showing evidence of suffering impairment who fails to 215
 comply within one week with a referral for examination; 216

(B) Report to the board the name of any impaired practitioner 217
 who fails to enter treatment within forty-eight hours following 218
 the provider's determination that the practitioner needs 219
 treatment; 220

(C) Require every practitioner who enters treatment to agree 221
 to a treatment contract establishing the terms of treatment and 222
 aftercare, including any required supervision or restrictions of 223
 practice during treatment or aftercare; 224

(D) Require a practitioner to suspend practice upon entry 225

into any required inpatient treatment; 226

(E) Report to the board any failure by an impaired 227
practitioner to comply with the terms of the treatment contract 228
during inpatient or outpatient treatment or aftercare; 229

(F) Report to the board the resumption of practice of any 230
impaired practitioner before the treatment provider has made a 231
clear determination that the practitioner is capable of practicing 232
according to acceptable and prevailing standards of care; 233

(G) Require a practitioner who resumes practice after 234
completion of treatment to comply with an aftercare contract that 235
meets the requirements of rules adopted by the board for approval 236
of treatment providers; 237

(H) Report the identity of any practitioner practicing under 238
the terms of an aftercare contract to hospital administrators, 239
medical chiefs of staff, and chairpersons of impaired practitioner 240
committees of all health care institutions at which the 241
practitioner holds clinical privileges or otherwise practices. If 242
the practitioner does not hold clinical privileges at any health 243
care institution, the treatment provider shall report the 244
practitioner's identity to the impaired practitioner committee of 245
the county medical society, osteopathic academy, or podiatric 246
medical association in every county in which the practitioner 247
practices. If there are no impaired practitioner committees in the 248
county, the treatment provider shall report the practitioner's 249
identity to the president or other designated member of the county 250
medical society, osteopathic academy, or podiatric medical 251
association. 252

(I) Report to the board the identity of any practitioner who 253
suffers a relapse at any time during or following aftercare. 254

Any individual authorized to practice under this chapter who 255
enters into treatment by an approved treatment provider shall be 256
deemed to have waived any confidentiality requirements that would 257
otherwise prevent the treatment provider from making reports 258
required under this section. 259

In the absence of fraud or bad faith, no person or 260
organization that conducts an approved impaired practitioner 261
treatment program, no member of such an organization, and no 262
employee, representative, or agent of the treatment provider shall 263
be held liable in damages to any person by reason of actions taken 264
or recommendations made by the treatment provider or its 265
employees, representatives, or agents." 266

In line 75156, strike through "and"; after "4783." insert "4787." 267
and 4787." 268

In line 75194, after "4781." insert "4787." 269

In line 75204, after "4781." insert "4787." 270

After line 75944 and 75945, insert: 271

"Sec. 4787.01. As used in this chapter: 272

(A) "Client" means an individual who receives music therapy 273
services. 274

(B) "Licensee" means a music therapist who is licensed to 275
practice music therapy pursuant to this chapter. 276

(C) "Music therapy" means the clinical use of music 277
interventions by an individual to accomplish individualized goals 278
within a therapeutic relationship through an individualized music 279
therapy treatment plan developed for a client. 280

(D) "Music therapy services" means the services a licensee is 281

authorized to provide pursuant to section 4787.08 of the Revised Code to achieve the goals of music therapy. 282
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Sec. 4787.02. (A) Beginning one year after the effective date of this section, no person shall knowingly provide music therapy services or use the title "music therapist" or a similar title unless the person holds a license issued under this chapter that is in good standing. 284
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(B) This chapter does not apply to any of the following individuals: 289
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(1) An individual performing services or participating in activities as an integral part of a program of study in an accredited music therapy program, if the individual does not represent the individual's self as a music therapist; 291
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(2) An individual who holds a professional license in this state or an employee who is supervised by an individual who holds a professional license in this state who is performing services, including the use of music in the services, that are incidental to the practice of the individual's profession, if the individual does not represent the individual's self as a music therapist; 295
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(3) Any individual whose training and national certification attests to the individual's preparation and ability to practice the individual's certified profession or occupation, if the individual does not represent the individual's self as a music therapist; 301
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(4) Any individual who practices music therapy under the supervision of a licensee, if the individual does not represent the individual's self as a music therapist. 306
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Sec. 4787.03. (A) The state medical board may adopt rules as 309

the board considers necessary to carry out this chapter. The rules may include either of the following: 310
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(1) Requirements for continuing education for music therapists in addition to those required under section 4787.06 of the Revised Code; 312
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(2) Requirements for issuing a license to practice music therapy to an individual who holds a license to practice music therapy in another country. 315
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(B) The board shall enforce this chapter and any rules adopted pursuant to it. 318
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(C) The board, on request and payment of a fee established by the board, shall provide a copy of the list maintained pursuant to section 4731.07 of the Revised Code, as it pertains to this chapter. Any fee charged by the board for providing the copy shall not exceed the actual cost incurred by the board to make the copy. 320
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Sec. 4787.04. (A) There is created within the state medical board the music therapy advisory committee consisting of five individuals familiar with the practice of music therapy. The committee shall provide the board with expertise and assistance in carrying out its duties pursuant to this chapter. 325
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The committee shall consist of the following members: 330

(1) Three members who are licensed under this chapter to practice as music therapists in this state; 331
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(2) One member who is a licensed health care professional who is not a licensee; 333
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(3) One member who is a consumer. 335

(B) Not later than ninety days after the effective date of 336

this section, the board shall make initial appointments to the 337
committee. The board shall appoint two members to terms ending one 338
year after the effective date of this section, one member to a 339
term ending two years after the effective date of this section, 340
one member to a term ending three years after the effective date 341
of this section, and one member to a term ending four years after 342
the effective date of this section. Thereafter, terms of office 343
for all members are four years, with each term ending on the same 344
day of the same month as did the term that it succeeds. Each 345
member shall hold office from the date of appointment until the 346
end of the term for which the member was appointed. Members may be 347
reappointed. 348

Vacancies shall be filled in the same manner as original 349
appointments. Any member appointed to fill a vacancy occurring 350
before the expiration of the term for which the member's 351
predecessor was appointed shall hold office for the remainder of 352
the term. Any member shall continue in office subsequent to the 353
expiration date of the member's term until a successor takes 354
office, or until a period of sixty days has elapsed, whichever 355
occurs first. 356

(C) Members of the committee shall serve without compensation 357
and shall not be reimbursed for expenses. 358

(D) The committee shall meet at least once per year or as 359
otherwise called by the board. 360

(E) The board shall consult with the committee before 361
changing fees established under this chapter. The board shall seek 362
the advice of the committee for issues related to music therapy. 363

(F) The committee is not subject to sections 101.82 to 101.87 364
of the Revised Code. 365

(G) The committee shall provide to the board an analysis of disciplinary actions taken against license applicants and licensees, appeals and denials, and revocation of licenses at least once per year. 366
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(H) The committee may facilitate the development of materials that the state medical board may utilize to educate the public concerning music therapist licensure, the benefits of music therapy, and utilization of music therapy by individuals and in facilities or institutional settings. The committee may act as a facilitator of statewide dissemination of information between music therapists, the American music therapy association or its successor organization, the certification board for music therapists or its successor organization, and the state medical board. 370
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Sec. 4787.05. (A) An individual seeking a license to practice as a music therapist under this chapter shall do both of the following: 380
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(1) Submit all of the following to the state medical board: 383

(a) A completed application on a form provided by the state medical board; 384
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(b) An application fee of one hundred fifty dollars or a higher amount established by the board; 386
387

(c) Proof that the individual is at least eighteen years of age; 388
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(d) Proof that the individual has successfully completed an academic program with a bachelor's or higher degree in music therapy approved by the American music therapy association or its successor organization; 390
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(e) Proof that the individual has done both of the following: 394

(i) Has passed the examination for board certification by the 395
certification board for music therapists or its successor 396
organization or obtained certification as a music therapist by 397
that board on January 1, 1985; 398

(ii) Is currently certified as a music therapist by the 399
certification board for music therapists or its successor 400
organization. 401

(f) Proof that the individual has successfully completed a 402
minimum of one thousand two hundred hours of clinical training, 403
with at least one hundred eighty hours in preinternship experience 404
and at least nine hundred hours in internship experience, if the 405
internship is approved by the American music therapy association 406
or its successor organization, an academic institution, or both. 407

(2) Comply with sections 4776.01 to 4776.04 of the Revised 408
Code. 409

(B) Except as provided in division (C) of this section, 410
within sixty days after receiving the information described in 411
division (A)(1) of this section and receipt of proof of compliance 412
with division (A)(2) of this section, the state medical board 413
shall issue a license to practice as a music therapist if the 414
board determines that the individual satisfies the requirements of 415
division (A) of this section. 416

(C) The state medical board shall issue a license to practice 417
as a music therapist in accordance with Chapter 4796. of the 418
Revised Code to an applicant if either of the following applies: 419

(1) The applicant holds a license to practice as a music 420
therapist in another state. 421

(2) The applicant has satisfactory work experience, a 422

government certification, or a private certification as described 423
in that chapter in the practice of music therapy in a state that 424
does not issue that license. 425

(D) The state medical board, subject to the approval of the 426
controlling board, may establish a fee in excess of the amount 427
prescribed in division (A) of this section, provided that the 428
amount of the increase does not exceed fifty per cent of that fee, 429
that no fee increase occurs before the date that is one year after 430
the effective date of this section, and that the increase does not 431
exceed the amount necessary for the state medical board to 432
implement this chapter. 433

Sec. 4787.06. (A) A license to practice as a music therapist 434
issued under this chapter is valid for three years beginning on 435
the date the license is issued and may be renewed. 436

(B) An individual seeking to renew a license to practice as a 437
music therapist shall, before the license expires, apply for 438
renewal of the license. To be eligible for renewal, an applicant 439
shall submit all of the following to the state medical board: 440

(1) A completed application for renewal on a form prescribed 441
by the board; 442

(2) Proof that the licensee has continuously maintained for 443
the previous three years certification with, and is currently 444
certified as a music therapist by, the certification board for 445
music therapists or its successor organization; 446

(3) Proof that the licensee has completed not less than sixty 447
hours of continuing education approved by the certification board 448
for music therapists or its successor organization and any other 449
continuing education requirements established by the state medical 450
board; 451

(4) A fee in the amount of one hundred fifty dollars or such other amount as prescribed by the state medical board. 452
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(C) A licensee shall notify the board in writing of any change in address. 454
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(D) The state medical board shall send renewal notices at least one month before the license expiration date. 456
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(E) The state medical board, subject to the approval of the controlling board, may establish a fee in excess of the amount prescribed in division (B) of this section, provided that the amount of the increase does not exceed fifty per cent of that fee, that no fee increase occurs before the date that is one year after the effective date of this section, and that the increase does not exceed the amount necessary for the state medical board to implement this chapter. 458
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Sec. 4787.07. A license to practice as a music therapist that is not renewed on or before its expiration date is delinquent and shall be forfeited to the state medical board. The board, within thirty days after the license becomes delinquent, shall send a notice to the licensee by certified mail, return receipt requested, to the address of the licensee as indicated in the records of the board. The board shall inform the licensee in the notice that the licensee's license is forfeited and explain procedures for restoring the forfeited license. 466
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A licensee may restore a forfeited license within one year after the license becomes delinquent by complying with the requirements of section 4787.06 of the Revised Code. The board shall terminate a forfeited license that is not restored within one year after the date it becomes delinquent. The board may require an individual whose license has been terminated to apply 475
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for a new license under section 4787.05 of the Revised Code. 481

On written request of a licensee, the board may place an 482
active license on inactive status subject to an inactive status 483
fee established by the board. The licensee, on request and payment 484
of the inactive license fee, may continue on inactive status for a 485
period up to two years. A licensee may reactivate an inactive 486
license at any time during that two-year period by making a 487
written request to the board and by fulfilling requirements 488
established by the board. 489

Sec. 4787.08. (A) A licensee shall do both of the following: 490

(1) Before providing music therapy services to a client for a 491
medical, developmental, or mental health condition, collaborate 492
with the client's physician, psychologist, primary care provider, 493
or mental health professional, as applicable, to review the 494
client's diagnosis, treatment needs, and treatment plan; 495

(2) During the provision of music therapy services to a 496
client, collaborate, as applicable, with the client's treatment 497
team. 498

(B) Subject to division (C) of this section, a licensee may 499
do any of the following activities: 500

(1) Accept referrals for music therapy services from health 501
care, social service, or education professionals, clients, or 502
caregivers of prospective clients; 503

(2) Conduct a music therapy assessment of a client to collect 504
systematic, comprehensive, and accurate information necessary to 505
determine the appropriate type of music therapy services to 506
provide to the client; 507

(3) Develop an individualized treatment plan for a client 508

that identifies the goals, objectives, and potential strategies of 509
the music therapy services appropriate for the client using music 510
interventions, which may include music improvisation, receptive 511
music listening, song writing, lyric discussion, music and 512
imagery, music performance, learning through music, and movement 513
to music; 514

(4) If applicable, carry out an individualized treatment plan 515
that is consistent with any other medical, developmental, mental 516
health, educational, or rehabilitative services being provided to 517
the client; 518

(5) Evaluate the client's response to music therapy and the 519
individualized treatment plan and suggest modifications, as 520
appropriate; 521

(6) Develop a plan for determining when the provision of 522
music therapy services is no longer needed in collaboration with 523
the client, any physician or other health care or education 524
provider of the client, any appropriate family member of the 525
client, and any other appropriate person on whom the client relies 526
for support; 527

(7) Minimize any barriers so that the client may receive 528
music therapy services in the least restrictive environment; 529

(8) Collaborate with and educate the client and the family or 530
caregiver of the client or any other appropriate person about the 531
needs of the client that are being addressed in music therapy and 532
the manner in which the music therapy addresses those needs. 533

(C) A licensee shall not do either of the following: 534

(1) When providing educational services pursuant to division 535
(B)(4) of this section, replace speech and language services 536
typically provided to a child with a disability who has been 537

identified as having a speech or language impairment pursuant to 538
section 3323.03 of the Revised Code; 539

(2) When providing rehabilitative services pursuant to 540
division (B)(4) of this section, replace the services provided by 541
a speech-language pathologist. 542

(D) Nothing in this section shall be construed as prohibiting 543
a licensee from providing services to a client diagnosed with a 544
communication disorder. 545

Sec. 4787.09. If any member of the state medical board or the 546
music therapy advisory committee becomes aware of any ground for 547
initiating disciplinary action against a licensee, the member 548
shall file a written complaint with the board. As soon as 549
practicable after receiving a complaint, the board shall conduct 550
an investigation of the complaint to determine whether the 551
allegations in the complaint merit the initiation of disciplinary 552
proceedings against the licensee. 553

Sec. 4787.10. (A) If, after an investigation conducted by the 554
state medical board and after notice and a hearing in accordance 555
with Chapter 119. of the Revised Code, the board finds one or more 556
grounds for taking disciplinary action as described in division 557
(C) of this section, the board may do any of the following: 558

(1) Place the licensee on probation for a specified period or 559
until further order of the board; 560

(2) Administer to the applicant or licensee a public 561
reprimand; 562

(3) Refuse to issue a license to an applicant or renew the 563
license of the licensee; 564

(4) Suspend or revoke the license of the licensee; 565

(5) Impose an administrative fine of not less than one 566
hundred dollars nor more than one thousand dollars for each 567
violation; 568

(6) Take any combination of the actions enumerated in 569
divisions (A)(1) to (5) of this section. 570

(B) An order of the board may include any other terms, 571
provisions, or conditions as the board considers appropriate. An 572
order of the board and the findings of fact and conclusions of law 573
supporting that order are public records. The board shall not 574
issue a private reprimand. 575

(C) Except as provided in division (D) of this section, the 576
board may impose any of the disciplinary actions described in 577
division (A) of this section if a licensee or applicant does any 578
of the following: 579

(1) Submits false, fraudulent, or misleading information to 580
the board or any agency of this state, any other state, or the 581
federal government; 582

(2) Violates this chapter or any rule adopted pursuant to it; 583

(3) Is convicted of or pleads guilty to a disqualifying 584
offense or a crime of moral turpitude, as those terms are defined 585
in section 4776.10 of the Revised Code; 586

(4) Is impaired in the licensee's or applicant's ability to 587
practice according to acceptable and prevailing standards of care 588
because of habitual or excessive use or abuse of drugs, alcohol, 589
or other substances that impair ability to practice; 590

(5) Uses fraud or deception in applying for a license to 591
practice as a music therapist; 592

(6) Fails to pay fees when due; 593

(7) Fails to provide requested information in a timely manner; 594

(8) Is unable to, or fails to practice music therapy with reasonable skill and consistent with the welfare of clients, including negligence in the practice of music therapy, incapacity, and abuse of or engaging in sexual contact with a client; 596

(9) Is subject to disciplinary action by another jurisdiction with respect to the licensee's or applicant's license to practice as a music therapist issued by that jurisdiction. 600

(D) The board shall not refuse to issue a license to an applicant because of a conviction of or plea of guilty to an offense unless the refusal is in accordance with section 9.79 of the Revised Code. 603

Sec. 4787.11. On receipt of a notice pursuant to section 3123.43 of the Revised Code, the state medical board shall comply with sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code with respect to a license to practice as a music therapist issued pursuant to this chapter. 607

Sec. 4787.12. The state medical board shall comply with section 4776.20 of the Revised Code. 613

Sec. 4787.13. If the state medical board determines that a person has violated or is about to violate any provision of this chapter or a rule adopted pursuant to it, the board may bring an action in a court of competent jurisdiction to enjoin the person from engaging in or continuing the violation. 615

An injunction may be issued without proof of actual damage 620
sustained by any person and does not prohibit the criminal 621
prosecution and punishment of the person who commits the 622
violation. 623

Sec. 4787.14. Except as otherwise provided in this section, a 624
complaint filed with the state medical board and all documents and 625
other information filed with the complaint are confidential and 626
are not subject to section 149.43 of the Revised Code, unless the 627
person who is the subject of the complaint submits a written 628
statement to the board requesting that the documents and 629
information be made public records. 630

The charging documents filed with the board to initiate 631
disciplinary action and information considered by the board when 632
determining whether to impose discipline against a licensee or 633
applicant are public records. An order that imposes discipline and 634
the findings of fact and conclusions of law supporting that order 635
are public records. 636

Nothing in this section prohibits the board from 637
communicating or cooperating with or providing any documents or 638
other information to any other licensing board or any other agency 639
that is investigating a person, including a law enforcement 640
agency. 641

Sec. 4787.99. Whoever violates division (A) of section 642
4787.02 of the Revised Code is guilty of a misdemeanor of the 643
fourth degree on a first offense; on each subsequent offense, such 644
person is guilty of a misdemeanor of the third degree." 645

In line 101315, after "4730.25," insert "4731.07," 646

In line 101316, after "4731.22," insert "4731.224, 4731.24," 647

4731.25,"

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After line 163253, insert:

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"Section 747.___. (A) As used in this section,
 "board-certified music therapist" means an individual who has
 completed the education and clinical training requirements
 established by the American Music Therapy Association, has passed
 the Certification Board for Music Therapists certification
 examination or obtained certification by that Board on January 1,
 1985, and remains actively certified by the Certification Board
 for Music Therapists.

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(B) Notwithstanding section 4787.04 of the Revised Code, as
 enacted by this act, individuals appointed to the Music Therapy
 Advisory Committee need not be licensed as required under that
 section during the first year after the effective date of this
 section.

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(C) For a period of one year beginning on the effective date
 of this section, the State Medical Board shall waive the
 examination requirement under section 4787.05 of the Revised Code,
 as enacted by this act, that an individual must satisfy to obtain
 a license to practice as a music therapist if the individual
 demonstrates to the Board that the individual either is a
 board-certified music therapist or is designated as a registered
 music therapist, certified music therapist, or advanced certified
 music therapist and in good standing with the National Music
 Therapy Registry."

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The motion was _____ agreed to.

SYNOPSIS

Music therapy licensure	673
R.C. Chapter 4787.; with conforming changes in R.C. 109.572, 4731.07, 4731.224, 4731.24, 4731.25, 4776.01, and 4776.20; Section 747.____	674 675 676
Creates licensing requirements for the practice of music therapy and requires the State Medical Board to license and regulate music therapists.	677 678 679
Prohibits, beginning one year after the provision's effective date, unlicensed persons from knowingly providing music therapy services or using the "music therapist" or similar title.	680 681 682
Establishes criminal penalties for violating that prohibition.	683 684
Specifies the activities in which a licensed music therapist may and may not engage.	685 686
Lists the requirements and establishes procedures for obtaining an initial and renewed music therapy license.	687 688
Establishes grounds and procedures for taking disciplinary action against a licensee or license applicant.	689 690
Creates the Music Therapy Advisory Committee to provide expertise and assistance to the Medical Board in regulating the practice of music therapy.	691 692 693
Authorizes the Medical Board to adopt rules to implement the Music Therapy Licensing Law.	694 695

_____ moved to amend as follows:

1 Delete lines 151355 through 151363

2 After line 161249, insert:

3 "(C) Up to \$24,000,000 in fiscal year 2024 under
4 appropriation item 776673, Connect4Ohio, shall be allocated in
5 the following manner: up to \$14,400,000 shall be allocated to
6 the Licking County Board of Commissioners, up to \$3,600,000
7 shall be allocated to the City of Newark, up to \$3,600,000 shall
8 be allocated to the City of Johnstown, and up to \$2,400,000
9 shall be allocated to the City of Heath. These allocations shall
10 be used for road improvements including road expansion, road
11 development, bridges, culverts, and right-of-way acquisitions in
12 support of the Intel economic development project.

13 (D) Up to \$6,200,000 in fiscal year 2024 under
14 appropriation item 776673, Connect4Ohio, shall be allocated to
15 the Fayette County Engineer for road improvement projects."

16 In line 161250, delete "(C)" and insert "(E)"

17 The motion was _____ agreed to.

18

SYNOPSIS

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Department of Development and Department of Transportation

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Sections 259.20 and 411.30

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Removes the following earmarks under GRF ALI 195456, Local

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Roads, used by the Department of Development, for road

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improvements, including but not limited to road expansion, road

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development, bridges, culverts, and right-of-way acquisitions in

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support of the Intel economic development project:

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(1) \$14,400,000 in FY 2024 for the Licking County Board of

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Commissioners, (2) \$3,600,000 in FY 2024 for the City of Newark,

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(3) \$3,600,000 in FY 2024 for the City of Johnstown; and

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(4) \$2,400,000 in FY 2024 for the City of Heath.

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Moves these earmarks to the Department of Transportation

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under DPF ALI 776673, Connect4Ohio.

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Establishes an additional \$6.2 million in earmarks in

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FY 2024 from DPF ALI 776673, Connect4Ohio, to be allocated to

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the Fayette County Engineer for road improvement projects.

Sub. H.B. 33
L-135-0001-3
TAXCD32

_____ moved to amend as follows:

Delete lines 90962 through 91175 and insert: 1

"Sec. 5713.031. (A) As used in this section, "federally 2
subsidized residential rental property" means property to which 3
one or more of the following apply: 4

(1) It is part of a qualified low-income housing project, 5
during its compliance period, as those terms are defined in 6
section 42 of the Internal Revenue Code. 7

(2) It receives assistance pursuant to section 202 of the 8
"Housing Act of 1959," 12 U.S.C. 1701q, and remains restricted 9
pursuant to that section. 10

(3) Property that receives assistance pursuant to Section 811 11
of the "Cranston-Gonzalez National Affordable Housing Act," 42 12
U.S.C. 8013, and remains restricted pursuant to that section; 13

(4) Property that receives project-based assistance pursuant 14
to section 8 of the "United States Housing Act of 1937," 42 U.S.C. 15
1437f, and remains restricted pursuant to that section; 16

(5) Property that receives assistance pursuant to section 515 17
of the "Housing Act of 1949," 42 U.S.C. 1485, and remains 18
restricted pursuant to that section; 19

(6) Property that receives assistance pursuant to section 538 20
of the "Housing Act of 1949," 42 U.S.C. 1490p-2, and remains 21
restricted pursuant to that section; 22

(7) Property that receives assistance pursuant to section 521 23
of the "Housing Act of 1949," 42 U.S.C. 1490a, and remains 24
restricted pursuant to that section; 25

(B) An owner of federally subsidized residential rental 26
property shall file with the county auditor of the county in which 27
the property is located the following information from the 28
preceding calendar year or up to three preceding calendar years, 29
as applicable: 30

(1) The operating income of the property which shall include 31
gross potential rent, any forgiveness of or allowance received for 32
losses due to vacancy or unpaid rent, and any income derived from 33
other sources; 34

(2) The operating expenses of the property including all 35
non-capitalized expenses related to staffing, utilities, repairs, 36
supplies, telecommunication, management fees, audits, legal and 37
contract services, and any other expense a prospective buyer might 38
consider in purchasing the property. Real property taxes, 39
depreciation, and amortization expenses and replacement of 40
short-term capitalized assets shall be excluded from operating 41
expenses. 42

(3) The annual amount of contribution to replacement reserve 43
funds or accounts related to the property. 44

(C)(1) The information required under division (B) of this 45
section shall be filed by the owner both before the property is 46
placed in service and after the commencement of the property's 47
operations, and each following year to which section 5715.24 of 48

the Revised Code applies in the county, on or before the first day
of March. Each such filing in a reappraisal or update year shall
report the information required under division (B) of this section
for the preceding three calendar years or for the period of time
the property has been in operation, if less than three years.

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(2) Information filed under this section shall have first
been audited by an independent public accountant or auditor or a
certified public accountant prior to filing. If such an audit is
not completed by the first day of March, the owner of the property
shall file updated records within thirty days after the completion
of such an audit.

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(3) If a property owner fails to timely submit the
information required under division (B) of this section, the
county auditor is not required to value the property in accordance
with division (A)(4) of section 5715.01 of the Revised Code for
any applicable tax year to which that division would have applied
and shall otherwise proceed under section 5713.01 of the Revised
Code to value the property in compliance with Ohio Constitution,
Article XII, Section 2 for that tax year.

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(D) The county auditor shall use the information submitted
under this section to determine the valuation of the property
pursuant to rules adopted under division (A)(4) of section 5715.01
of the Revised Code.

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(E) Any information submitted under this section is not a
public record for purposes of section 149.43 of the Revised Code.

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Sec. 5715.01. (A) The tax commissioner shall direct and
supervise the assessment for taxation of all real property. The
commissioner shall adopt, prescribe, and promulgate rules for the
determination of true value and taxable value of real property by

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uniform rule for such values and for the determination of the 78
 current agricultural use value of land devoted exclusively to 79
 agricultural use. 80

(1) The uniform rules shall prescribe methods of determining 81
 the true value and taxable value of real property. The rules shall 82
 provide that in determining the true value of lands or 83
 improvements thereon for tax purposes, all facts and circumstances 84
 relating to the value of the property, its availability for the 85
 purposes for which it is constructed or being used, its obsolete 86
 character, if any, the income capacity of the property, if any, 87
 and any other factor that tends to prove its true value shall be 88
 used. In determining the true value of minerals or rights to 89
 minerals for the purpose of real property taxation, the tax 90
 commissioner shall not include in the value of the minerals or 91
 rights to minerals the value of any tangible personal property 92
 used in the recovery of those minerals. 93

(2) The uniform rules shall prescribe the method for 94
 determining the current agricultural use value of land devoted 95
 exclusively to agricultural use, which method shall reflect 96
 standard and modern appraisal techniques that take into 97
 consideration the productivity of the soil under normal management 98
 practices, typical cropping and land use patterns, the average 99
 price patterns of the crops and products produced and the typical 100
 production costs to determine the net income potential to be 101
 capitalized, and other pertinent factors. 102

In determining the agricultural land capitalization rate to 103
 be applied to the net income potential from agricultural use, the 104
 commissioner shall use standard and modern appraisal techniques. 105
 In calculating the capitalization rate for any year, the 106
 commissioner shall comply with both of the following requirements: 107

(a) The commissioner shall use an equity yield rate equal to 108
the greater of (i) the average of the total rates of return on 109
farm equity for the twenty-five most recent years for which those 110
rates have been calculated and published by the United States 111
department of agriculture economic research service or another 112
published source or (ii) the loan interest rate the commissioner 113
uses for that year to calculate the capitalization rate; 114

(b) The commissioner shall assume that the holding period for 115
agricultural land is twenty-five years for the purpose of 116
computing buildup of equity or appreciation with respect to that 117
land. 118

The commissioner shall add to the overall capitalization rate 119
a tax additur. The sum of the overall capitalization rate and the 120
tax additur shall represent as nearly as possible the rate of 121
return a prudent investor would expect from an average or typical 122
farm in this state considering only agricultural factors. 123

The commissioner shall annually determine and announce the 124
overall capitalization rate, tax additur, agricultural land 125
capitalization rate, and the individual components used in 126
computing such amounts in a determination, finding, computation, 127
or order of the commissioner published simultaneously with the 128
commissioner's annual publication of the per-acre agricultural use 129
values for each soil type. 130

(3) Notwithstanding any other provision of this chapter and 131
Chapter 5713. of the Revised Code, the current agricultural use 132
value of land devoted exclusively to agricultural use shall equal 133
the following amounts for the years specified: 134

(a) In counties that undergo a reappraisal or triennial 135
update in 2017, the current agricultural use value of the land for 136
each of the 2017, 2018, and 2019 tax years shall equal the sum of 137

the following amounts: 138

(i) The current agricultural use value of the land for that 139
tax year, as determined under this section and section 5713.31 of 140
the Revised Code, and rules adopted pursuant those sections, 141
without regard to the adjustment under division (A)(3)(a)(ii) of 142
this section; 143

(ii) One-half of the amount, if any, by which the value of 144
the land for the 2016 tax year, as determined under this section, 145
section 5713.31 of the Revised Code, and the rules adopted 146
pursuant those sections and issued by the tax commissioner for 147
counties undergoing a reappraisal or triennial update in the 2016 148
tax year, exceeds the value determined under division (A)(3)(a)(i) 149
of this section. 150

(b) In counties that undergo a reappraisal or triennial 151
update in 2018, the current agricultural use value of the land for 152
each of the 2018, 2019, and 2020 tax years shall equal the sum of 153
the following amounts: 154

(i) The current agricultural use value of the land for that 155
tax year, as determined under this section and section 5713.31 of 156
the Revised Code, and rules adopted pursuant those sections, 157
without regard to the adjustment under division (A)(3)(b)(ii) of 158
this section; 159

(ii) One-half of the amount, if any, by which the value of 160
the land for the 2017 tax year, as determined under this section, 161
section 5713.31 of the Revised Code, and the rules adopted 162
pursuant those sections and issued by the tax commissioner for 163
counties undergoing a reappraisal or triennial update in the 2017 164
tax year, exceeds the value determined under division (A)(3)(b)(i) 165
of this section. 166

(c) In counties that undergo a reappraisal or triennial update in 2019, the current agricultural use value of the land for each of the 2019, 2020, and 2021 tax years shall equal the sum of the following amounts:

(i) The current agricultural use value of the land for that tax year, as determined under this section and section 5713.31 of the Revised Code, and rules adopted pursuant those sections, without regard to the adjustment under division (A)(3)(c)(ii) of this section;

(ii) One-half of the amount, if any, by which the value of the land for the 2018 tax year, as determined under this section, section 5713.31 of the Revised Code, and the rules adopted pursuant those sections and issued by the tax commissioner for counties undergoing a reappraisal or triennial update in the 2018 tax year, exceeds the value determined under division (A)(3)(c)(i) of this section.

(4) The uniform rules shall prescribe the method for determining the value of federally subsidized residential rental property through the use of a formula that accounts for the following factors:

(a) Up to three years of operating income of the property, which includes gross potential rent, and any income derived from other sources as reported by the property owner to the county auditor under section 5713.031 of the Revised Code. Operating income shall include an allowance for vacancy losses, which shall be presumed to be four per cent of gross potential rent, and unpaid rent losses, which shall be presumed to be three per cent of gross potential rent. These presumptive amounts may be exceeded with evidence demonstrating the actual income of the property.

(b) Operating expenses of the property, which shall be

presumed to be forty-eight per cent of operating income plus utility expenses as reported by the property owner to the county auditor under section 5713.031 of the Revised Code. Operating expenses shall also include replacement reserve fund or account contributions which shall be presumed to be five per cent of gross potential rent. These presumptive amounts may be exceeded with evidence demonstrating the actual expenses of the property. Real property taxes, depreciation, and amortization expenses and replacement of short-term capitalized assets shall be excluded from operating expenses.

(c) A market-appropriate, uniform capitalization rate plus a tax additur accounting for the real property tax rate of the property's location. For federally subsidized residential rental property described in division (A)(1) of section 5713.031 of the Revised Code, one percentage point shall be subtracted from the uniform capitalization rate.

The uniform rules shall also prescribe a minimum total value for federally subsidized residential rental property of five thousand dollars multiplied by the number of dwelling units comprising the property or one hundred fifty per cent of the property's unimproved land value, whichever is greater. The formula and other rules adopted by the commissioner pursuant to this division shall comply with Ohio Constitution, Article XII, Section 2.

As used in division (A)(4) of this section, "federally subsidized residential rental property" has the same meaning as in section 5713.031 of the Revised Code and "dwelling unit" has the same meaning as in section 5321.01 of the Revised Code.

(B) The taxable value shall be that per cent of true value in money, or current agricultural use value in the case of land

valued in accordance with section 5713.31 of the Revised Code, the 227
 commissioner by rule establishes, but it shall not exceed 228
 thirty-five per cent. The uniform rules shall also prescribe 229
 methods of making the appraisals set forth in section 5713.03 of 230
 the Revised Code. The taxable value of each tract, lot, or parcel 231
 of real property and improvements thereon, determined in 232
 accordance with the uniform rules and methods prescribed thereby, 233
 shall be the taxable value of the tract, lot, or parcel for all 234
 purposes of sections 5713.01 to 5713.26, 5715.01 to 5715.51, and 235
 5717.01 to 5717.06 of the Revised Code. County auditors shall, 236
 under the direction and supervision of the commissioner, be the 237
 chief assessing officers of their respective counties, and shall 238
 list and value the real property within their respective counties 239
 for taxation in accordance with this section and sections 5713.03 240
 and 5713.31 of the Revised Code and with such rules of the 241
 commissioner. There shall also be a board in each county, known as 242
 the county board of revision, which shall hear complaints and 243
 revise assessments of real property for taxation. 244

(C) The commissioner shall neither adopt nor enforce any rule 245
 that requires true value for any tax year to be any value other 246
 than the true value in money on the tax lien date of such tax year 247
 or that requires taxable value to be obtained in any way other 248
 than by reducing the true value, or in the case of land valued in 249
 accordance with section 5713.31 of the Revised Code, its current 250
 agricultural use value, by a specified, uniform percentage." 251

The motion was _____ agreed to.

SYNOPSIS

Property tax: valuation of subsidized housing 252

R.C. 5713.031 and 5715.01 253

Modifies the requirement, added by the substitute bill, for 254
the Tax Commissioner to prescribe a formula for uniformly valuing 255
federal subsidized rental housing that takes into account a 256
property's operating income and expenses and a uniform 257
capitalization rate as follows: 258

- Specifies operating income should include forgiveness of or 259
allowance received for vacancy or unpaid rent losses, in addition 260
to gross potential rent and other income. 261
- Prescribes presumptive amounts to be used in the formula 262
for certain income and expenses that are a percentage of gross 263
potential rent or operating expenses. These presumptive amounts 264
may be exceeded by a property's actually reported amounts. 265
- Requires the owner to report the property's operating 266
income and expenses to the county auditor of the county in which 267
the property is located in each reappraisal and update year, i.e., 268
every three years, rather than annually. 269
- Allows the county auditor to value federally subsidized 270
residential rental property without regard to the formula if the 271
property owner fails to timely file the required records. 272
- Specifies the kinds of non-capitalized expenses that should 273
be included in the owner's report. 274
- Requires reported information to have been audited by an 275
independent public accountant or auditor or a certified public 276
accountant. 277
- Adds an additional minimum total valuation method for 278
covered property of \$5,000 per dwelling unit. The rules must take 279

the greater of that number or the existing 150% of the value of
the underlying land.

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Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 92 of the title, after "3775.01," insert "3775.04," 1

In line 518, after "3775.01," insert "3775.04," 2

After line 55692, insert: 3

"**Sec. 3775.04.** (A)(1) A type A sports gaming proprietor 4
license authorizes a sports gaming proprietor to offer sports 5
gaming through one or more online sports pools. 6

(2)(a) Except as otherwise provided under division (A)(2)(b) 7
of this section, the Ohio casino control commission shall license 8
not more than twenty-five type A sports gaming proprietors at any 9
one time. 10

(b) When twenty-five type A sports gaming proprietors are 11
licensed in this state, the commission may issue additional type A 12
sports gaming proprietor licenses to eligible applicants who 13
demonstrate to the commission that the sports gaming market in 14
this state needs additional type A sports gaming proprietors. 15

(3) A type A sports gaming proprietor shall meet at least one 16
of the following requirements at all times: 17

(a) The type A sports gaming proprietor also shall operate a 18
sports gaming facility under a type B sports gaming proprietor 19
license. 20

(b) The type A sports gaming proprietor shall maintain at least one operational place of business in this state at which the sports gaming proprietor regularly maintains multiple employees.

(4) The commission shall adopt by rule a procedure allowing the commission to revoke a type A sports gaming proprietor license if the licensee does not offer sports gaming to patrons under the license for a continuous period of one year or more.

(B)(1) A type B sports gaming proprietor license authorizes a sports gaming proprietor to offer sports gaming at one sports gaming facility at a location specified on the license.

(2) The commission shall license not more than forty type B sports gaming proprietors at any one time.

(3)(a)(i) Except as otherwise provided in division (B)(3)(a)(ii) of this section, no sports gaming facility shall be located in a county with a population of less than one hundred thousand, as determined by the 2010 federal decennial census.

(ii) The commission may issue an initial or renewed type B sports gaming proprietor license for one sports gaming facility to be located in a county with a population of fifty thousand or more, but less than one hundred thousand, as determined by the 2010 federal decennial census, at any one time, if the commission determines, in consultation with the department of development, that the county received at least five million visitors for purposes of tourism during the most recent calendar year for which the necessary data are available.

(b)(i) Except as otherwise provided in division (B)(3)(b)(ii) of this section, not more than one sports gaming facility shall be located in a county with a population of one hundred thousand or more, but less than four hundred thousand, as determined by the

2010 federal decennial census, at any one time. 50

(ii) Not more than two sports gaming facilities shall be 51
located in a county with a population of one hundred thousand or 52
more, but less than four hundred thousand, as determined by the 53
2010 federal decennial census, at any one time, if a video lottery 54
sales agent operates video lottery terminals at a facility in the 55
county. 56

(c) Not more than three sports gaming facilities shall be 57
located in a county with a population of four hundred thousand or 58
more, but less than eight hundred thousand, as determined by the 59
2010 federal decennial census, at any one time. 60

(d) Not more than ~~five~~ seven sports gaming facilities shall 61
be located in a county with a population of eight hundred thousand 62
or more, as determined by the 2010 federal decennial census, at 63
any one time. 64

(4) The commission shall issue an initial type B sports 65
gaming proprietor license only to a person who conducts 66
significant economic activity in the county in which the sports 67
gaming facility is to be located, as determined by the commission 68
in consultation with the department of development. 69

(C)(1) A type C sports gaming proprietor license authorizes a 70
sports gaming proprietor to offer sports gaming through 71
self-service or clerk-operated sports gaming terminals located at 72
one or more type C sports gaming hosts' facilities under section 73
3770.25 of the Revised Code. 74

(2) The commission shall license at least two, and not more 75
than twenty, type C sports gaming proprietors at any one time. 76
However, if only one eligible and suitable person applies for a 77
type C sports gaming proprietor license, the commission shall 78

issue the license. 79

(D) An applicant for an initial or renewed type A, type B, or 80
type C sports gaming proprietor license shall do all of the 81
following: 82

(1) Submit a written application on a form furnished by the 83
commission. 84

(a) If the application is for an initial type B sports gaming 85
proprietor license, the application shall specify both of the 86
following: 87

(i) The intended location of the sports gaming facility or, 88
at a minimum, the county in which the sports gaming facility is to 89
be located if the license is granted; 90

(ii) The expected overall capital investment in the sports 91
gaming facility, including its size, furnishings, and equipment. 92

(b) If the application is for a renewed type B sports gaming 93
proprietor license, the application shall specify one of the 94
following, as applicable: 95

(i) If the sports gaming proprietor does not intend to 96
relocate the sports gaming facility, the location of the sports 97
gaming facility; 98

(ii) If the sports gaming proprietor intends to relocate the 99
sports gaming facility, the intended new location of the sports 100
gaming facility or, at a minimum, the county in which the sports 101
gaming facility is to be located if the renewal is granted. 102

(2) Pay the fee required under division (C)(3) of section 103
109.572 of the Revised Code, along with a nonrefundable 104
application fee in an amount prescribed by the commission by rule; 105

(3) Submit an audit of the applicant's financial transactions 106

and the condition of the applicant's total operations for the 107
 previous fiscal year prepared by a certified public accountant in 108
 accordance with generally accepted accounting principles and state 109
 and federal laws; 110

(4) Satisfy any other requirements for licensure under this 111
 chapter and rules adopted under this chapter. 112

(E) After receiving a sports gaming proprietor license, the 113
 sports gaming proprietor shall pay the following nonrefundable 114
 license fees, as applicable, not later than the dates indicated, 115
 and shall give to the state a surety bond, in an amount and in the 116
 form approved by the commission, to guarantee that the sports 117
 gaming proprietor faithfully makes all payments required by this 118
 chapter and rules adopted under this chapter during the period of 119
 the license: 120

(1) For an initial or renewed type A sports gaming proprietor 121
 license: 122

	Upon	One year	Two years	Three years	Four years	
	issuance of	after	after	after	after	
	license	license	license	license	license	
		issued	issued	issued	issued	
Initial or renewed	\$500,000	\$125,000	\$125,000	\$125,000	\$125,000	124
license -						
type A						
sports						
gaming						
proprietor						
that is a						
professional						
sports						

organization
and that is
not
contracting
with more
than one
mobile
management
services
provider

Initial or \$750,000 \$187,500 \$187,500 \$187,500 \$187,500 125

renewed
license -
any other
type A

sports
gaming
proprietor
that is not
contracting
with more
than one
mobile
management
services
provider

Initial \$1,666,667 \$416,667 \$416,667 \$416,667 \$416,667 126

license -
type A
sports
gaming

proprietor
that is a
professional
sports
organization
and that is
contracting
with two
mobile
management
services
providers

Initial \$2,500,000 \$625,000 \$625,000 \$625,000 \$625,000 127

license -
any other
type A
sports
gaming
proprietor
that is
contracting
with two
mobile
management
services
providers

Renewed \$500,000 \$125,000 \$125,000 \$125,000 \$125,000 128

license -
type A
sports
gaming

proprietor
that is a
professional
sports
organization
and that is
contracting
with two
mobile
management
services
providers

Renewed \$750,000 \$187,500 \$187,500 \$187,500 \$187,500 129

license -
any other
type A
sports
gaming
proprietor
that is
contracting
with two
mobile
management
services
providers

(2) For an initial or renewed type B sports gaming proprietor	130
license:	131
Upon One year Two years Three years Four years	132
issuance of after after after after	
license license license license license	

		issued	issued	issued	issued	
Type B	\$100,000	\$10,000	\$10,000	\$10,000	\$10,000	133

sports
gaming
proprietor
that is
also a type

A sports
gaming
proprietor

Type B	\$50,000	\$10,000	\$10,000	\$10,000	\$10,000	134
--------	----------	----------	----------	----------	----------	-----

sports
gaming
proprietor
that is not
also a type

A sports
gaming
proprietor

(3) For a type C sports gaming proprietor license, one 135
hundred thousand dollars upon being issued an initial license and 136
twenty-five thousand dollars upon being issued a renewed license. 137

(F)(1) A sports gaming proprietor license shall be valid for 138
a term of five years. 139

(2) Upon the expiration of a sports gaming proprietor 140
license, the sports gaming proprietor may apply to renew the 141
license in the same manner as for an initial license, unless the 142
license is suspended or revoked or the commission determines that 143
the sports gaming proprietor is not in compliance with this 144
chapter and the rules adopted under this chapter." 145

In line 101298, after "3775.01," insert "3775.04," 146

The motion was _____ agreed to.

SYNOPSIS

Maximum number of sports gaming facilities per county 147

R.C. 3775.04 148

Increases, from five to seven, the maximum number of sports 149
gaming facilities that may be located in a county with a 150
population of 800,000 or more, as determined by the 2010 federal 151
census. 152

Retains the overall limit of 40 sports gaming facilities in 153
the state at any given time. 154

Sub. H.B. 33
L-135-0001-3
TAXCD32 and HFACD2

_____ moved to amend as follows:

In line 20 of the title after "173.60," insert "175.12," 1

In line 178 of the title, delete "175.18," 2

In line 465, after "173.60," insert "175.12," 3

In line 581, delete "175.18," 4

After line 12959, insert: 5

"**Sec. 175.12.** (A) This chapter, being necessary for the 6
welfare of the state and its inhabitants, shall be liberally 7
construed to effect its purposes and the purposes of Section 14, 8
of Article VIII and Section 16, Article VIII, Ohio Constitution. 9

(B) The following are not public records subject to section 10
149.43 of the Revised Code: 11

(1) Financial statements and data submitted for any purpose 12
to the Ohio housing finance agency or the controlling board by any 13
person in connection with applying for, receiving, or accounting 14
for financial assistance the agency provides; 15

(2) Information that identifies any individual who benefits 16
directly or indirectly from financial assistance the agency 17
provides; 18

(3) Information provided to the tax commissioner under 19
section 175.16 of the Revised Code or information provided under 20
divisions (I)(1) to (3) of section 175.16 of the Revised Code. 21

(C)(1) The agencies of this state shall cooperate fully with 22
the Ohio housing finance agency and shall provide information the 23
Ohio housing finance agency determines is necessary or helpful for 24
its operation. 25

(2) The Ohio housing finance agency may arrange with and 26
enter into contracts with other entities to perform functions this 27
chapter authorizes the agency to perform and compensate those 28
entities for performing those functions. 29

(3) The agency may enter into contracts with state entities 30
as described in this chapter. 31

(D) Any state agency that provides supplies, equipment, or 32
services directly related to the mission of the Ohio housing 33
finance agency as described in section 175.02 of the Revised Code 34
may enter into an agreement with the Ohio housing finance agency 35
to furnish those supplies, equipment, or services pursuant to 36
terms both agencies agree upon for remuneration to the state 37
agency. 38

(E) The Ohio housing finance agency is exempt from the 39
requirements of Chapters 123. and 125. and sections 127.16 and 40
5147.07 of the Revised Code." 41

In line 13215, after the period insert "If not provided upon 42
the agency's initiative, the tax commissioner may request such 43
information and the agency shall respond with the requested 44
information." 45

Delete lines 13216 through 13232 46

In line 101245, after "173.60," insert "175.12," 47

The motion was _____ agreed to.

SYNOPSIS

Low-income housing tax credit records; local approval	48
R.C. 175.12, 175.16, and 175.18	49
Establishes that records provided to the Tax Commissioner and the Ohio Housing Finance Agency (OHFA) to administer the bill's low-income housing tax credit (LIHTC) are not public records subject to the state's Sunshine Law.	50 51 52 53
Allows the Tax Commissioner to request records necessary to administer the LIHTC from the OHFA and requires the OHFA to respond with the requested records.	54 55 56
Removes a provision added by the substitute bill that limits allocation of federal LIHTCs and other financial assistance from the OHFA to projects supported by the board of county commissioners of the county in which the project is located.	57 58 59 60

_____ moved to amend as follows:

1 In line 64176, delete "within"

2 In line 64177, delete "ninety days of the violation of
3 division (A) of this section"

4 In line 64182, after "court" insert "within 90 days of the
5 violation of division (A) of this section"

6 In line 64644, delete "within ninety days"

7 Delete line 64645

8 In line 64646, delete "additional fine under division (B)
9 of this section"

10 In line 64652, after "evidence" insert "within ninety days
11 of the underlying violation that resulted in the imposition of
12 the additional fine under division (B) of this section"

13 In line 64666, delete "within ninety days of the"

14 Delete line 64667

15 In line 64668, delete "additional fine under division (B)
16 of this section"

17 In line 64674, after "evidence" insert "within ninety days
18 of the underlying violation that resulted in the imposition of
19 the additional fine under division (B) of this section"

20 The motion was _____ agreed to.

21 SYNOPSIS

22 **Distracted driving safety course**

23 **R.C. 4511.204 and 4511.991**

24 Regarding the bill's stipulation that a person must take
25 the existing distracted driving safety course within 90 days of
26 a violation to avoid a fine and license points for illegally
27 using an electronic wireless communication device while driving,
28 stipulates instead that the person must submit evidence of
29 course completion to the court within those 90 days to avoid the
30 fine and points.

31 Regarding the bill's stipulation that a person must take
32 the existing distracted driving safety course within 90 days of
33 a distracted driving violation in order to avoid a fine,
34 stipulates instead that the person must submit evidence of
35 course completion to the court within those 90 days to avoid the
36 fine.

_____ moved to amend as follows:

1 After line 163457, insert:

2 **"Section 757.____.** (A) The Joint Committee on Property Tax
3 Review and Reform is created, composed of the following members:

4 (1) Five members of the Senate, three of whom are members
5 of the majority party appointed by the President of the Senate
6 and two of whom are members of the minority party appointed by
7 the Minority Leader of the Senate;

8 (2) Five members of the House of Representatives, three of
9 whom are members of the majority party appointed by the Speaker
10 of the House of Representatives and two of whom are members of
11 the minority party appointed by the Minority Leader of the House
12 of Representatives;

13 The Committee shall be co-chaired by one majority party
14 member of the Senate, appointed by the President of the Senate,
15 and one majority party member of the House of Representatives,
16 appointed by the Speaker of the House of Representatives.

17 (B) The Committee shall review the history and purpose of
18 all aspects of Ohio's property tax law, including the forms of
19 levies, exemptions, and local subdivision budgeting. The
20 Committee may hold hearings on pending legislation related to

21 property taxation and make recommendations regarding that
22 legislation. The Committee shall hold its first meeting not
23 later than ninety days after the effective date of this section.

24 The Committee shall produce a report describing the
25 activities and findings of the Committee and making
26 recommendations on reforms to Ohio's property tax law and shall
27 submit this report to the President of the Senate, the Speaker
28 of the House of Representatives, and the Minority Leaders of the
29 Senate and the House of Representatives not later than December
30 31, 2024.

31 (C) Members of the Committee shall serve at the pleasure of
32 the appointing authority and without compensation.

33 (D) The Committee ceases to exist upon the submission of
34 the report required under division (B) of this section."

35 The motion was _____ agreed to.

36 SYNOPSIS

37 **Joint Committee on Property Tax Review and Reform**

38 **Section 757. __**

39 Creates the Joint Committee on Property Tax Review and
40 Reform, requiring it to submit a report to the General Assembly
41 making recommendations on reforms to property tax law and
42 authorizing it to hold hearings on pending legislation related
43 to property taxation. Requires five senators and five
44 representatives to be appointed to the committee.

_____ moved to amend as follows:

1 In line 156997, delete "\$11,000,000 \$11,000,000" and
2 insert "\$11,250,000 \$11,250,000"

3 In line 157002, add \$250,000 to each fiscal year

4 In line 157033, add \$250,000 to each fiscal year

5 After line 157514, insert:

6 "Of the foregoing appropriation item 336504, Community
7 Innovations, \$250,000 in each fiscal year shall be allocated to
8 either the Northeast Ohio Medical University (NEOMED) or another
9 entity identified by the Department of Mental Health and
10 Addiction Services to deliver statewide continuing training and
11 education to professionals on the identification and treatment
12 of alcohol and other substance use disorders with medications
13 that are approved by the United States Food and Drug
14 Administration."

15 The motion was _____ agreed to.

16

SYNOPSIS

17

Department of Mental Health and Addiction Services

18

Sections 337.10 and 337.90

19

Increases the appropriation in GRF ALI 336504, Community
20 Innovations, by \$250,000 in each fiscal year.

20

21

Requires these funds to be allocated to Northeast Ohio
22 Medical University (NEOMED) or another entity to deliver
23 statewide continuing training and education to professionals on
24 the identification and treatment of alcohol and other substance
25 use disorders with medications approved by the U.S. Food and
26 Drug Administration.

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_____ moved to amend as follows:

1 After line 151656, insert:

2 "Of the foregoing appropriation item 1956G5, County and
3 Independent Fairs Grant, \$1,000,000 in fiscal year 2024 shall be
4 distributed to 4-H Camp Palmer for new dining hall and storm
5 shelter projects. 4-H Camp Palmer shall use all funds received
6 under this division within four years of receiving them."

7 The motion was _____ agreed to.

8 SYNOPSIS

9 **Department of Development**

10 **Section 259.30**

11 Earmarks \$1,000,000 in FY 2024 from Fund 5ZX0 ALI 1956G5,
12 County and Independent Fairs Grant, to be distributed to 4-H
13 Camp Palmer for new dining hall and storm shelter projects.
14 Requires 4-H Camp Palmer to use all funds received under ALI
15 1956G5 within four years of receiving them.

_____ moved to amend as follows:

1 After line 151477, insert:

2 "Of the foregoing appropriation item 1956A1, Water and
3 Sewer Quality Program, \$5,000,000 in fiscal year 2024 shall be
4 allocated to the City of Coshocton to repay its existing water
5 loan."

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Development**

9 **Section 259.30**

10 Earmarks \$5,000,000 under Fund 5CV3 ALI 1956A1, Water and
11 Sewer Quality Program for the City of Coshocton to repay its
12 existing water loan.

_____ moved to amend as follows:

1 After line 151630, insert:

2 "Of the foregoing appropriation item 1956G2, Downtown
3 Development Grant, \$3,000,000 in fiscal year 2024 shall be
4 allocated to the City of West Carrolton to support riverfront
5 development."

6 In line 151631, delete "foregoing" and insert "remainder
7 of"

8 In line 151634, delete "Of the" and insert "The"

9 In line 151635, delete "appropriated, \$50,000,000 in fiscal
10 year 2024"; delete "in" and insert "equally to"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Department of Development**

14 **Section 259.20**

15 Earmarks \$3,000,000 in fiscal year 2024 under Fund 5ZU0 ALI
16 1956G2, Downtown Development Grant, for the City of West
17 Carrolton to support riverfront development.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 434 of the title, after the semicolon insert "to
 amend sections 128.01, 128.02, 128.021, 128.022, 128.03, 128.06,
 128.07, 128.08, 128.12, 128.18, 128.22, 128.32, 128.34, 128.40,
 128.42, 128.44, 128.45, 128.46, 128.461, 128.462, 128.47, 128.52,
 128.54, 128.55, 128.57, 128.60, 128.63, 128.99, 149.43, 2913.01,
 4776.20, 5703.052, 5733.55, and 5751.01; to amend, for the purpose
 of adopting new section numbers as indicated in parentheses,
 sections 128.18 (128.33), 128.22 (128.35), 128.32 (128.96), 128.34
 (128.98), 128.40 (128.20), 128.42 (128.40), and 128.45 (128.451);
 to enact new sections 128.22, 128.25, 128.26, 128.27, 128.42, and
 128.45 and sections 128.05, 128.21, 128.211, 128.212, 128.221,
 128.23, 128.24, 128.241, 128.242, 128.243, 128.28, 128.41,
 128.411, 128.412, 128.413, 128.414, 128.416, 128.417, 128.418,
 128.421, 128.422, and 128.43; and to repeal sections 128.04,
 128.09, 128.15, 128.25, 128.26, 128.27, 128.571, 4742.01, 4742.02,
 4742.03, 4742.04, 4742.05, 4742.06, and 4742.07 of the Revised
 Code;"

After line 149531, insert:

"**Section 130.**____. That sections 128.01, 128.02, 128.021,
 128.022, 128.03, 128.06, 128.07, 128.08, 128.12, 128.18, 128.22,
 128.32, 128.34, 128.40, 128.42, 128.44, 128.45, 128.46, 128.461,
 128.462, 128.47, 128.52, 128.54, 128.55, 128.57, 128.60, 128.63,

128.99, 149.43, 2913.01, 4776.20, 5703.052, 5733.55, and 5751.01 23
 be amended; sections 128.18 (128.33), 128.22 (128.35), 128.32 24
 (128.96), 128.34 (128.98), 128.40 (128.20), 128.42 (128.40), and 25
 128.45 (128.451) be amended for the purpose of adopting new 26
 section numbers as indicated in parentheses; and new sections 27
 128.22, 128.25, 128.26, 128.27, 128.42, and 128.45 and sections 28
 128.05, 128.21, 128.211, 128.212, 128.221, 128.23, 128.24, 29
 128.241, 128.242, 128.243, 128.28, 128.41, 128.411, 128.412, 30
 128.413, 128.414, 128.416, 128.417, 128.418, 128.421, 128.422, and 31
 128.43 of the Revised Code be enacted to read as follows: 32

Sec. 128.01. As used in this chapter: 33

(A) "9-1-1 system" means a system through which individuals 34
 can request emergency service using the ~~telephone~~ access number 35
 9-1-1. 36

(B) "Basic 9-1-1" means ~~a 9-1-1~~ an emergency telephone system 37
~~in~~ to which all of the following apply: 38

(1) The system automatically connects a caller ~~provides~~ 39
~~information on the nature of and the location of an emergency, and~~ 40
~~the personnel receiving the call must determine the appropriate~~ 41
~~emergency service provider to respond at that location~~to a 42
designated public safety answering point. 43

(2) Call routing is determined by a central office only. 44

(3) Automatic number identification and automatic location 45
information may or may not be supported. 46

(C) "Enhanced 9-1-1" means ~~a 9-1-1~~ an emergency telephone 47
~~system capable of providing both enhanced wireline 9-1-1 and~~ 48
~~wireless enhanced 9-1-1~~that includes both of the following: 49

(1) Network switching; 50

(2) Database- and public-safety-answering-point premise 51

elements capable of providing automatic location identification data, selective routing, selective transfer, fixed transfer, and a call back number.

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(D) "Enhanced wireline 9-1-1" means a 9-1-1 system in which the wireline telephone network, in providing wireline 9-1-1, does either of the following:

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(1) Automatically routes the call to emergency service providers that serve the location from which the call is made and immediately provides to personnel answering the 9-1-1 call information on the location and the telephone number from which the call is being made;

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(2) Receives, develops, collects, or processes requests for emergency assistance and relays, transfers, operates, maintains, or provides emergency notification services or system capabilities.

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(E) "Wireless enhanced 9-1-1" means a 9-1-1 system that, in providing wireless 9-1-1, has the capabilities of phase I and, to the extent available, phase II enhanced 9-1-1 services as described in 47 C.F.R. 20.18 (d) to (h).

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~~(F)(1)~~ (F) "Wireless service" means federally licensed commercial mobile service as defined in 47 U.S.C. 332(d) and further defined as commercial mobile radio service in 47 C.F.R. 20.3, and includes services for communicating voice, text, and data and service provided by any wireless, two-way communications device, including a radio-telephone communications line used in cellular telephone service or personal communications service, a network radio access line, or any functional or competitive equivalent of such a radio-telephone communications or network radio access line.

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~~(2) Nothing in this chapter applies to paging or any service that cannot be used to call 9-1-1.~~ 81
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(G) "Wireless service provider" means ~~a facilities-based provider of any of the following that provides~~ wireless service to one or more end users in this state; 83
84
85

(1) A facilities-based provider; 86

(2) A mobile virtual network operator; 87

(3) A mobile other licensed operator. 88

(H) "Wireless 9-1-1" means the emergency calling service provided by a 9-1-1 system pursuant to a call originating in the network of a wireless service provider. 89
90
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(I) "Wireline 9-1-1" means the emergency calling service provided by a 9-1-1 system pursuant to a call originating in the network of a wireline service provider. 92
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(J) "Wireline service provider" means a facilities-based provider of wireline service to one or more ~~end users~~ end users in this state. 95
96
97

(K) "Wireline service" means basic local exchange service, as defined in section 4927.01 of the Revised Code, that is transmitted by means of interconnected wires or cables by a wireline service provider authorized by the public utilities commission. 98
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(L) "Wireline telephone network" means the selective router and data base processing systems, trunking and data wiring cross connection points at the public safety answering point, and all other voice and data components of the 9-1-1 system. 103
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(M) "Subdivision" means a county, municipal corporation, township, township fire district, joint fire district, township 107
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police district, joint police district, joint ambulance district,
 or joint emergency medical services district that provides
 emergency service within its territory, or that contracts with
 another municipal corporation, township, or district or with a
 private entity to provide such service; and a state college or
 university, port authority, or park district of any kind that
 employs law enforcement officers that act as the primary police
 force on the grounds of the college or university or port
 authority or in the parks operated by the district.

(N) "Emergency service" means emergency law enforcement,
 firefighting, ambulance, rescue, and medical service.

(O) "Emergency service provider" means the state highway
 patrol and an emergency service department or unit of a
 subdivision or that provides emergency service to a subdivision
 under contract with the subdivision.

(P) "Public safety answering point" means a facility to which
an entity responsible for receiving requests for emergency
services sent by dialing 9-1-1 system calls for within a specific
specified territory are initially routed for response and where
personnel respond to specific and processing those requests for
emergency service by services according to a specific operational
policy that includes directly dispatching the appropriate
emergency service provider, relaying a message to the appropriate
emergency service provider, or transferring the call request for
emergency services to the appropriate emergency service provider.
A public safety answering point may be either of the following:

(1) Located in a specific facility;

(2) Virtual, if telecommunicators are geographically
dispersed and do not work from the same facility. The virtual
workplace may be a logical combination of physical facilities, an

alternate work environment such as a satellite facility, or a 139
combination of the two. Workers may be connected and interoperate 140
via internet-protocol connectivity. 141

(Q) "Customer premises equipment" means telecommunications 142
equipment, including telephone instruments, on the premises of a 143
public safety answering point that is used in answering and 144
responding to 9-1-1 system calls. 145

(R) "Municipal corporation in the county" includes any 146
municipal corporation that is wholly contained in the county and 147
each municipal corporation located in more than one county that 148
has a greater proportion of its territory in the county to which 149
the term refers than in any other county. 150

(S) "Board of county commissioners" includes the legislative 151
authority of a county established under Section 3 of Article X, 152
Ohio Constitution, or Chapter 302. of the Revised Code. 153

(T) "Final plan" means a final plan adopted under division 154
(B) of section 128.08 of the Revised Code and, except as otherwise 155
expressly provided, an amended final plan adopted under section 156
128.12 of the Revised Code. 157

(U) "Subdivision served by a public safety answering point" 158
means a subdivision that provides emergency service for any part 159
of its territory that is located within the territory of a public 160
safety answering point whether the subdivision provides the 161
emergency service with its own employees or pursuant to a 162
contract. 163

(V) A township's population includes only population of the 164
unincorporated portion of the township. 165

(W) "Telephone company" means a company engaged in the 166
business of providing local exchange telephone service by making 167

available or furnishing access and a dial tone to persons within a local calling area for use in originating and receiving voice grade communications over a switched network operated by the provider of the service within the area and gaining access to other telecommunications services. Unless otherwise specified, "telephone company" includes a wireline service provider, a wireless service provider, and any entity that is a covered 9-1-1 service provider under 47 C.F.R. 12.4. ~~For purposes of sections 128.25 and 128.26 of the Revised Code, "telephone company" means a wireline service provider.~~

(X) "Prepaid wireless calling service" has the same meaning as in division (AA)(5) of section 5739.01 of the Revised Code.

(Y) "Provider of a prepaid wireless calling service" means a wireless service provider that provides a prepaid wireless calling service.

(Z) "Retail sale" has the same meaning as in section 5739.01 of the Revised Code.

(AA) "Seller" means a person that sells a prepaid wireless calling service to another person by retail sale.

(BB) "Consumer" means the person end user for whom the prepaid wireless calling service is provided, to whom the transfer effected or license given by a sale is or is to be made or given, to whom the prepaid wireless calling service is charged, or to whom the admission is granted.

(CC) "Reseller" means a nonfacilities-based provider of wireless service that provides wireless service under its own name to one or more end users in this state using the network of a wireless service provider.

(DD) "Steering committee" means the statewide ~~emergency~~

~~services internet protocol network 9-1-1 steering committee~~ 197
~~established by division (A)(1) of section 128.02 of the Revised~~ 198
~~Code.~~ 199

(EE) "Communications service" includes wired or wireless 200
telecommunications, voice over internet protocol service, 201
multiline telephone systems, nonvoice messaging devices, devices 202
such as sensors that generate data-only messages such as photos or 203
videos, and other similar services or devices, regardless of 204
whether those services or devices existed on the effective date of 205
the amendments to this section by this act. 206

(FF) "Ancillary connection service" means a communication 207
connection service that allows devices, not otherwise able to 208
connect directly with a 9-1-1 system, to communicate with a 9-1-1 209
system. 210

(GG) "Next generation 9-1-1" means an internet-protocol-based 211
system comprised of managed emergency services internet protocol 212
networks, functional elements, and databases that replicate 213
traditional enhanced 9-1-1 features and functions and provide 214
additional capabilities. 215

(HH) "Emergency services internet-protocol network" means a 216
managed internet-protocol network that is used for emergency 217
services communications and provides the internet-protocol 218
transport infrastructure upon which independent application 219
platforms and core services can be deployed, including those 220
necessary for providing next generation 9-1-1 services. The term 221
designates the network and not the services that ride on the 222
network. 223

(II) "9-1-1 system service provider" means a company or 224
entity engaged in the business of providing all or part of the 225
emergency services internet-protocol network, software 226

applications, hardware, databases, customer premises equipment 227
components and operations, and management procedures required to 228
support basic 9-1-1, enhanced 9-1-1, enhanced wireline 9-1-1, 229
wireless enhanced 9-1-1, or next generation 9-1-1 systems. 230

(JJ) "Voice over internet protocol" means technologies for 231
the delivery of voice communications and multimedia sessions over 232
internet-protocol networks, including private networks or the 233
internet. 234

(KK) "Multiline telephone system" means a system to which 235
both of the following apply: 236

(1) The system consists of common control units, telephone 237
sets, control hardware and software, and adjunct systems, 238
including network and premises-based systems. 239

(2) The system is designed to aggregate more than one 240
incoming voice communication channel for use by more than one 241
telephone. 242

(LL) "Business service user" means a user of business service 243
that provides telecommunications service, including 9-1-1 service, 244
to end users through a publicly or privately owned or controlled 245
telephone switch. 246

(MM) "Emergency response location" means an additional 247
location identification that provides a specific location. It may 248
include information regarding a specific location within a 249
building, structure, complex, or campus, including a building 250
name, floor number, wing name or number, unit name or number, room 251
name or number, or office or cubicle name or number. 252

(NN) "Operator of a multiline telephone system" means an 253
entity to which both of the following apply: 254

(1) The entity manages or operates a multiline telephone 255

system through which an end user may initiate communication using the 9-1-1 system. 256
257

(2) The entity owns, leases, or rents a multiline telephone system through which an end user may initiate communication using the 9-1-1 system. 258
259
260

(OO) "Core services" means the base set of services needed to process a 9-1-1 call on an emergency services internet-protocol network. It includes all of the following: 261
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263

(1) Emergency services routing proxy; 264

(2) Emergency call routing function; 265

(3) Location validation function; 266

(4) Border control function; 267

(5) Bridge, policy-store, and logging services; 268

(6) Typical internet-protocol services such as domain name system and dynamic host configuration protocol. 269
270

The term includes the services and not the network on which they operate. 271
272

(PP) "Bill and keep arrangements" has the same meaning as in 47 C.F.R. 51.713. 273
274

Sec. 128.02. (A)(1) There is hereby created the statewide ~~emergency services internet protocol network~~ 9-1-1 steering committee, consisting of the following ten members: 275
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277

(a) The state chief information officer or the officer's designee; 278
279

(b) Two members of the house of representatives appointed by the speaker, one from the majority party and one from the minority party; 280
281
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(c) Two members of the senate appointed by the president, one 283
 from the majority party and one from the minority party; 284

(d) Five members appointed by the governor. 285

(2) In appointing the five members under division (A)(1)(d) 286
 of this section, the governor shall appoint two representatives of 287
 the county commissioners' association of Ohio or a successor 288
 organization, two representatives of the Ohio municipal league or 289
 a successor organization, and one representative of the Ohio 290
 township association or a successor organization. For each of 291
 these appointments, the governor shall consider a nominee proposed 292
 by the association or successor organization. The governor may 293
 reject any of the nominees and may request that a nominating 294
 entity submit alternative nominees. 295

~~(3) Initial appointments shall be made not later than ten 296
 days after September 29, 2012. 297~~

(B)(1) The state chief information officer or the officer's 298
 designee shall serve as the chairperson of the steering committee 299
 and shall be a nonvoting member. All other members shall be voting 300
 members. 301

(2) A member of the steering committee appointed from the 302
 membership of the senate or the house of representatives shall 303
 serve during the member's term as a member of the general assembly 304
 and until a successor is appointed and qualified, notwithstanding 305
 adjournment of the general assembly or the expiration of the 306
 member's term as a member of the general assembly. 307

(3) The initial terms of one of the representatives of the 308
 county commissioners' association of Ohio, one of the 309
 representatives of the Ohio municipal league, and the 310
 representative of the Ohio township association shall all expire 311

on December 31, 2016. The initial terms of the other
 representatives of the county commissioners' association of Ohio
 and the Ohio municipal league shall expire on December 31, 2014.
 Thereafter, terms of the members appointed by the governor shall
 be for four years, with each term ending on the same day of the
 same month as the term it succeeds. Each member appointed by the
 governor shall hold office from the date of the member's
 appointment until the end of the term for which the member was
 appointed, and may be reappointed. A member appointed by the
 governor shall continue in office after the expiration date of the
 member's term until the member's successor takes office or until a
 period of sixty days has elapsed, whichever occurs first. Members
 appointed by the governor shall serve without compensation and
 shall not be reimbursed for expenses.

(4) A vacancy in the position of any member of the steering
 committee shall be filled for the unexpired term in the same
 manner as the original appointment.

(C) The steering committee shall generally advise the state
 on the implementation, operation, and maintenance of a statewide
 emergency services internet protocol network ~~that would support~~
~~state and local government, a statewide~~ next-generation 9-1-1
core-services system, and the dispatch of emergency service
 providers. The steering committee shall do all of the following:

~~(1) On or before May 15, 2013, deliver an initial report to~~
~~the speaker of the house of representatives, the president of the~~
~~senate, and the governor providing recommendations for the state~~
~~to address the development of a statewide emergency services~~
~~internet protocol network, which recommendations shall include a~~
~~review of the current funding model for this state's 9-1-1 systems~~
~~and may include a recommendation for a reduction in wireless 9-1-1~~

~~charges;~~ 342

~~(2)~~ (2) Examine the readiness of the state's current technology 343
 infrastructure for a statewide emergency services internet 344
 protocol network; 345

~~(3)~~ (2) Research legislative authority with regard to 346
 governance and funding of a statewide emergency services internet 347
 protocol network, and provide recommendations on best practices to 348
 limit duplicative efforts to ensure an effective transition to 349
~~next-generation~~ next generation 9-1-1; 350

~~(4)~~ (3) ~~Make~~ Where feasible, make recommendations for 351
 consolidation of public-safety-answering-point operations in this 352
 state, ~~including recommendations for accelerating the~~ 353
~~consolidation schedule established in section 128.571 of the~~ 354
~~Revised Code,~~ to accommodate next-generation 9-1-1 technology and 355
 to facilitate a more efficient and effective emergency services 356
 system; 357

~~(5)~~ (4) Recommend policies, procedures, and statutory or 358
 regulatory authority to effectively govern a statewide ~~emergency~~ 359
~~services internet protocol network~~ next generation 9-1-1 system; 360

~~(6)~~ (5) Designate a ~~next-generation~~ next generation 9-1-1 361
 statewide coordinator to serve as the primary point of contact for 362
 federal initiatives; 363

~~(7)~~ (6) Coordinate with statewide initiatives and 364
 associations such as the state interoperable executive committee, 365
 the Ohio geographically referenced information program council, 366
 the Ohio multi-agency radio communications system steering 367
 committee, and other interested parties; 368

~~(8)~~ (7) Serve as the entity responsible for the 369
 administration of Chapter 128. of the Revised Code. 370

(D)(1) A 9-1-1 service provider shall provide to the steering committee: 371
 372

(a) The aggregate number of access lines that the provider maintains within the state of Ohio; 373
 374

(b) The aggregate amount of costs and cost recovery associated with providing 9-1-1 service, including coverage under tariffs and bill and keep arrangements within this state; 375
 376
 377

(c) Any other information requested by the steering committee deemed necessary to support the transition to next generation 9-1-1. 378
 379
 380

(2) Any ~~political subdivision or governmental~~ entity operating a public safety answering point shall provide to the steering committee: 381
 382
 383

(a) The geographic location and population of the area for which the ~~planning committee~~ entity is responsible; 384
 385

(b) Statistics detailing the number of 9-1-1 calls received; 386

(c) A report of expenditures made from disbursements for 9-1-1; 387
 388

(d) An inventory of and the technical specifications for the current 9-1-1 network and equipment; 389
 390

(e) Any other information requested by the steering committee that is deemed necessary to support the transition to next generation 9-1-1. 391
 392
 393

(3) The information requested under divisions (D)(1) and (2) of this section shall be provided by the 9-1-1 service provider, political subdivision, or governmental entity within forty-five days of the request of the steering committee. 394
 395
 396
 397

(E) The ~~steering committee shall hold its inaugural meeting~~ 398

~~not later than thirty days after September 28, 2012. Thereafter,~~ 399
the steering committee shall meet at least once a ~~month~~ quarter, 400
either in person or utilizing telecommunication-conferencing 401
technology. A majority of the voting members shall constitute a 402
quorum. 403

(F)(1) The steering committee shall have a permanent 404
technical-standards subcommittee and a permanent 405
public-safety-answering-point-operations subcommittee, and may, 406
from time to time, establish additional subcommittees, to advise 407
and assist the steering committee based upon the subcommittees' 408
areas of expertise. The subcommittees may meet either in person or 409
utilizing telecommunication-conferencing technology. A majority of 410
the voting members shall constitute a quorum. 411

(2) The membership of subcommittees shall be determined by 412
the steering committee. 413

(a) The technical-standards subcommittee shall include one 414
member representing a wireline or wireless service provider that 415
participates in the state's 9-1-1 system, one representative of 416
the Ohio academic resources network, one representative of the 417
Ohio multi-agency radio communications system steering committee, 418
one representative of the Ohio geographically referenced 419
information program, and one member representing each of the 420
following associations selected by the steering committee from 421
nominations received from that association: 422

(i) The Ohio telephone association; 423

(ii) The Ohio chapter of the association of public-safety 424
communications officials; 425

(iii) The Ohio chapter of the national emergency number 426
association. 427

(b) The public-safety-answering-point-operations subcommittee 428
 shall include one member representing the division of emergency 429
 management of the department of public safety, one member 430
 representing the state highway patrol, one member representing the 431
division of emergency medical services of the department of public 432
safety, two members recommended by the county commissioners' 433
 association of Ohio who are managers of public safety answering 434
 points, two members recommended by the Ohio municipal league who 435
 are managers of public safety answering points, and one member 436
 from each of the following associations selected by the steering 437
 committee from nominations received from that association: 438

(i) The buckeye state sheriffs' association; 439

(ii) The Ohio association of chiefs of police; 440

(iii) The Ohio ~~association of~~ fire chiefs association; 441

(iv) The Ohio chapter of the association of public-safety 442
 communications officials; 443

(v) The Ohio chapter of the national emergency number 444
 association. 445

(G) The committee is not an agency, as defined in section 446
 101.82 of the Revised Code, for purposes of sections 101.82 to 447
 101.87 of the Revised Code. 448

~~(H) As used in this section, "9-1-1 system," "wireless 449
 service provider," "wireline service provider," "emergency service 450
 provider," and "public safety answering point" have the same 451
 meanings as in section 128.01 of the Revised Code. 452~~

~~(I) As used in this section, "bill and keep arrangements" has 453
 the same meaning as in 47 C.F.R. 51.713. 454~~

Sec. 128.021. (A) Not later than January 1, 2014, and in 455

accordance with Chapter 119. of the Revised Code, the steering 456
 committee shall adopt rules that establish technical and 457
 operational standards for public safety answering points eligible 458
 to receive disbursements under section 128.55 of the Revised Code. 459
 The rules shall incorporate industry standards and best practices 460
 for ~~wireless~~ 9-1-1 services. Public safety answering points shall 461
 comply with the standards not later than two years after the 462
 effective date of the rules adopting the standards. A public 463
 safety answering point may be deemed compliant with rules for 464
 minimum staffing standards, if it can demonstrate compliance with 465
 all other rules for operational standards. 466

(B) Not later than one year after September 29, 2015, and in 467
 accordance with Chapter 119. of the Revised Code, the steering 468
 committee shall conduct an assessment of the operational standards 469
 for public safety answering points developed under division (A) of 470
 this section and revise the standards as necessary to ensure that 471
 the operational standards contain the following: 472

(1) Policies to ensure that public safety answering point 473
 personnel prioritize life-saving questions in responding to each 474
 call to a 9-1-1 system established under this chapter; 475

(2) A requirement that all public safety answering point 476
 personnel complete proper training or provide proof of prior 477
 training to give instructions regarding emergency situations. 478

(C) Upon the effective date of the amendments to this section 479
by this act, all public safety answering points that answer 9-1-1 480
calls for service from communications services shall be subject to 481
the public safety answering point operations rules. Public safety 482
answering points not originally required to be compliant shall 483
comply with the standards not later than two years after the 484
effective date of the amendments to this section by this act. 485

Sec. 128.022. (A) The steering committee shall establish 486
guidelines for the tax commissioner to use when disbursing money 487
from the ~~next-generation~~ 9-1-1 government assistance fund to 488
countywide 9-1-1 systems in the state, as well as guidelines for 489
the use of funds from the next generation 9-1-1 fund. The 490
 guidelines shall be consistent with the standards adopted in 491
 section 128.021 of the Revised Code and shall specify that 492
 disbursements may be used for costs associated with the operation 493
 of and equipment for phase II wireless systems and for costs 494
 associated with a county's migration to next generation 9-1-1 495
 systems and technology. The committee shall periodically review 496
the guidelines described in this division and adjust them as 497
needed. 498

(B) The committee shall report any adjustments to the 499
guidelines described in division (A) of this section to the 500
department of taxation. The adjustments shall take effect six 501
months from the date the department is notified of the 502
adjustments. 503

Sec. 128.03. (A)~~(1)~~ A countywide 9-1-1 system shall include 504
 all of the territory of the townships and municipal corporations 505
 in the county and any portion of such a municipal corporation that 506
 extends into an adjacent county. 507

~~(2) The system shall exclude any territory served by a~~ 508
~~wireline service provider that is not capable of reasonably~~ 509
~~meeting the technical and economic requirements of providing the~~ 510
~~wireline telephone network portion of the countywide system for~~ 511
~~that territory. The system shall exclude from enhanced 9-1-1 any~~ 512
~~territory served by a wireline service provider that is not~~ 513
~~capable of reasonably meeting the technical and economic~~ 514
~~requirements of providing the wireline telephone network portion~~ 515

~~of enhanced 9-1-1 for that territory. If a 9-1-1 planning committee and a wireline service provider do not agree on whether the provider is so capable, the planning committee shall notify the steering committee, and the steering committee shall determine whether the wireline service provider is so capable. The planning committee shall ascertain whether such disagreement exists before making its implementation proposal under division (A) of section 128.07 of the Revised Code. The steering committee's determination shall be in the form of an order. No final plan shall require a wireline service provider to provide the wireline telephone network portion of a 9-1-1 system that the steering committee has determined the provider is not reasonably capable of providing.~~

(B) A countywide 9-1-1 system may be ~~a basic~~ an enhanced or next generation 9-1-1 system, or a combination of the two, and shall be ~~for the purpose of providing both wireline 9-1-1 and wireless 9-1-1~~ designed to provide access to emergency services from all connected communications sources.

(C)(1) Every emergency service provider that provides emergency service within the territory of a countywide 9-1-1 system shall participate in the countywide system.

(2) A countywide 9-1-1 system may be provided directly by the county, by a regional council of governments, or by connecting directly to the statewide next generation 9-1-1 system for call routing and core services.

(D)(1) Each public safety answering point shall be operated by a subdivision or a regional council of governments and shall be operated constantly.

(2) A subdivision or a regional council of governments that operates a public safety answering point shall pay all of the costs associated with establishing, equipping, furnishing,

operating, and maintaining that facility and shall allocate those 546
 costs among itself and the subdivisions served by the answering 547
 point based on the allocation formula in a final plan. The 548
 wireline service provider or other entity that provides or 549
 maintains the customer premises equipment shall bill the operating 550
 subdivision or the operating regional council of governments for 551
 the cost of providing such equipment, or its maintenance. A 552
 wireless service provider and a subdivision or regional council of 553
 governments operating a public safety answering point may enter 554
 into a service agreement for providing wireless enhanced 9-1-1 555
 pursuant to a final plan adopted under this chapter. 556

(E) Except to the extent provided in a final plan that 557
 provides for funding of a 9-1-1 system in part through charges 558
 imposed under section ~~128.22~~ 128.35 of the Revised Code, each 559
 subdivision served by a public safety answering point shall pay 560
 the subdivision or regional council of governments that operates 561
 the answering point the amount computed in accordance with the 562
 allocation formula set forth in the final plan. 563

(F) Notwithstanding any other provision of law, the purchase 564
 or other acquisition, installation, and maintenance of the 565
 telephone network for a 9-1-1 system and the purchase or other 566
 acquisition, installation, and maintenance of customer premises 567
 equipment at a public safety answering point made in compliance 568
 with a final plan ~~or an agreement under section 128.09 of the~~ 569
~~Revised Code~~, including customer premises equipment used to 570
 provide wireless enhanced 9-1-1, are not subject to any 571
 requirement of competitive bidding. 572

(G) Each emergency service provider participating in a 573
 countywide 9-1-1 system shall maintain a telephone number in 574
 addition to 9-1-1. 575

~~(H) Whenever a final plan provides for the implementation of basic 9-1-1, the planning committee shall so notify the steering committee, which shall determine whether the wireline service providers serving the territory covered by the plan are capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of an enhanced 9-1-1 system. The determination shall be made solely for purposes of division (C)(2) of section 128.18 of the Revised Code.~~ 576
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~~(I)~~ If the public safety answering point personnel reasonably determine that a 9-1-1 call is not an emergency, the personnel shall provide the caller with the telephone number of an appropriate subdivision agency as applicable. 584
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~~(J)~~ (I) A final plan adopted under this chapter, ~~or an agreement under section 128.09 of the Revised Code,~~ may provide that, by further agreement included in the plan ~~or agreement,~~ the state highway patrol or one or more public safety answering points of another 9-1-1 system is the public safety answering point or points for the provision of wireline or wireless 9-1-1 for all or part of the territory of the 9-1-1 system established under the plan ~~or agreement~~. In that event, the subdivision for which the wireline or wireless 9-1-1 is provided as named in the agreement shall be deemed the subdivision operating the public safety answering point or points for purposes of this chapter, except that, for the purpose of division (D)(2) of this section, that subdivision shall pay only so much of the costs of establishing, equipping, furnishing, operating, or maintaining any such public safety answering point as are specified in the agreement with the patrol or other system. 588
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~~(K)~~ (J) A final plan for the provision of wireless enhanced 9-1-1 shall provide that any wireless 9-1-1 calls routed to a 604
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state highway patrol-operated public safety answering point by 606
 default, due to a wireless service provider so routing all such 607
 calls of its subscribers without prior permission, are instead to 608
 be routed as provided under the plan. Upon the implementation of 609
 countywide wireless enhanced 9-1-1 pursuant to a final plan, the 610
 state highway patrol shall cease any functioning as a public 611
 safety answering point providing wireless 9-1-1 within the 612
 territory covered by the countywide 9-1-1 system so established, 613
 unless the patrol functions as a public safety answering point 614
 providing wireless enhanced 9-1-1 pursuant to an agreement 615
 included in the plan as authorized under division ~~(J)~~ (I) of this 616
 section. 617

Sec. 128.05. Each county shall appoint a county 9-1-1 618
coordinator to serve as the administrative coordinator for all 619
public safety answering points participating in the countywide 620
9-1-1 final plan described in section 128.03 of the Revised Code 621
and shall also serve as a liaison with other county coordinators 622
and the 9-1-1 program office. 623

Sec. 128.06. (A) ~~A board of~~ Except as provided in divisions 624
~~(B) and (C) of this section, every county commissioners or the 625~~
~~legislative authority of any municipal corporation in the county 626~~
~~that contains at least thirty per cent of the county's population 627~~
may adopt a resolution to convene shall maintain a county 9-1-1 628
planning program review committee, which shall serve without 629
 compensation and shall consist of ~~three~~ six voting members as 630
 follows: 631

(1) ~~The president or other presiding officer~~ A member of the 632
 board of county commissioners, who shall serve as chairperson of 633
 the committee; 634

(2) The chief executive officer of the most populous 635

municipal corporation in the county;

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~~(3) From the more populous of the following, either the chief executive officer of the second most populous municipal corporation in the county or a~~ A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees.

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~~In counties with a population of one hundred seventy five thousand or more, the planning committee shall consist of two additional voting members as follows: a;~~

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(4) A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt, ~~and the chief executive officer;~~

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(5) A member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt;

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(6) An elected official from within the county appointed by the board of county commissioners.

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When determining population under ~~this~~ division (A)(2) of this section, population residing outside the county shall be excluded.

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(B) In counties with fewer than five townships, a population in excess of seven hundred fifty thousand, and which contains more than one public safety answering point, the composition of the 9-1-1 program review committee shall consist of five members as follows:

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(1) A member of the board of county commissioners, who shall serve as chairperson of the committee;

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(2) The chief executive officer of the most populous municipal corporation in the county. Population residing outside the county shall be excluded when making this determination. 664
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(3) A member from one of the following, whichever is more populous: 667
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(a) The chief executive officer of the second most populous municipal corporation in the county; 669
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(b) A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees. 671
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(4) The chief executive officer of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt; 674
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(5) A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt. 678
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~~Within thirty days after the adoption of a resolution to convene the~~ (C) In counties that contain only one public safety answering point, the composition of the 9-1-1 review committee shall consist of three members as follows: 681
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(1) If the public safety answering point is not operated by the board of county commissioners, the committee shall be composed of the following: 685
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(a) A member of the board of county commissioners, who shall serve as chairperson of the committee; 688
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(b) One of the following: 690

(i) If the public safety answering point is operated by a 691

township, then a member of the board of township trustees; 692

(ii) If the public safety answering point is operated by a 693
municipal corporation, then the chief executive officer of the 694
municipal corporation; 695

(iii) If the public safety answering point is operated by a 696
subdivision that is not a township or municipal corporation or is 697
operated by a regional council of governments, then an elected 698
official of that subdivision or regional council of governments. 699

(c) A member who is an elected official of the most populous 700
township or municipal corporation in the county that does not 701
operate the public safety answering point. When determining 702
population under this division, population residing outside the 703
county shall be excluded. 704

(2) If the public safety answering point is operated by the 705
board of county commissioners, then the board of county 706
commissioners shall serve as the 9-1-1 program review committee. 707

(D) Each committee under division (A) of this section, the 708
~~committee shall convene for the sole purpose of developing~~ 709
maintain and amend a final plan for implementing and operating a 710
countywide 9-1-1 system. The Any amendment to the final plan shall 711
require a two-thirds vote of the committee. Each committee shall 712
convene at least once annually for the purposes of maintaining or 713
amending a final plan described in this section. 714

(E) Each committee shall, not later than the first day of 715
March of each year, submit a report to the political subdivisions 716
within the county and to the 9-1-1 program office detailing the 717
sources and amounts of revenue expended to support and all costs 718
incurred to operate the countywide 9-1-1 system and the public 719
safety answering points that are a part of that system for the 720

~~previous calendar year. A county shall provide the county's committee with any clerical, legal, and other staff assistance necessary to develop the final plan and shall pay for copying, mailing, and any other such expenses incurred by the committee in developing the final plan and in meeting the requirements imposed by sections 128.06 to 128.08 of the Revised Code.~~

~~(C) The 9-1-1 planning committee shall appoint a 9-1-1 technical advisory committee to assist it in planning the countywide 9-1-1 system. The advisory committee shall include at least one fire chief and one police chief serving in the county, the county sheriff, a representative of the state highway patrol selected by the patrol, one representative of each telephone company in each case selected by the telephone company represented, the director/coordinator of emergency management appointed under section 5502.26, 5502.27, or 5502.271 of the Revised Code, as appropriate, and a member of a board of township trustees of a township in the county selected by a majority of boards of township trustees in the county pursuant to resolutions they adopt.~~

Sec. 128.07. ~~(A) The 9-1-1 planning committee shall prepare a proposal on the implementation of a countywide 9-1-1 system and shall hold a public meeting on the proposal to explain the system to and receive comments from public officials. At least thirty but not more than sixty days before the meeting, the committee shall send a copy of the implementation proposal and written notice of the meeting:~~

~~(1) To the board of county commissioners, the legislative authority of each municipal corporation in the county, and to the board of trustees of each township in the county, either by certified mail or, if the committee has record of an internet~~

~~identifier of record associated with the board or legislative authority, by ordinary mail and by that internet identifier of record; and~~ 751
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~~(2) To the board of trustees, directors, or park commissioners of each subdivision that will be served by a public safety answering point under the plan.~~ 754
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~~(B) The proposal and the final plan adopted by the committee required under section 128.06 of the Revised Code shall specify:~~ 757
758

(1) Which telephone companies serving customers in the county and, as authorized in division (A)~~(1)~~ of section 128.03 of the Revised Code, in an adjacent county will participate in the 9-1-1 system; 759
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(2) The location and number of public safety answering points; how they the public safety answering points will be connected to a company's telephone network county's preferred next generation 9-1-1 system; from what geographic territory each public safety answering point will receive 9-1-1 calls; whether ~~basic or~~ enhanced 9-1-1 or next generation 9-1-1 service will be provided within such territory; what subdivisions will be served by the public safety answering point; and whether ~~an a~~ a public safety answering point will respond to calls by directly dispatching an emergency service provider, by relaying a message to the appropriate emergency service provider, or by transferring the call to the appropriate emergency service provider; 763
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(3) How originating service providers must connect to the core 9-1-1 system identified by the final plan and what methods will be utilized by the originating service providers to provide 9-1-1 voice, text, other forms of messaging media, and caller location to the core 9-1-1 system; 775
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(4) That in instances where a public safety answering point, even if capable, does not directly dispatch all entities that provide the emergency services potentially needed for an incident, without significant delay, that request shall be transferred or the information electronically relayed to the entity that directly dispatches the potentially needed emergency services; 780
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(5) Which subdivision or regional council of governments will establish, equip, furnish, operate, and maintain a particular public safety answering point; 786
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~~(4)~~ (6) A projection of the initial cost of establishing, equipping, and furnishing and of the annual cost of the first five years of operating and maintaining each public safety answering point; 789
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~~(5)~~ (7) Whether the cost of establishing, equipping, furnishing, operating, or maintaining each public safety answering point should be funded through charges imposed under section ~~128.22~~ 128.35 of the Revised Code or will be allocated among the subdivisions served by the answering point and, if any such cost is to be allocated, the formula for so allocating it; 793
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~~(6)~~ (8) How each emergency service provider will respond to a misdirected call or the provision of a caller location that is either misrepresentative of the actual location or does not meet requirements of the federal communications commission or other accepted national standards as they exist on the date of the call origination. 799
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~~(C) Following the meeting required by this section, the 9-1-1 planning committee may modify the implementation proposal and, no later than nine months after the resolution authorized by section 128.06 of the Revised Code is adopted, may adopt, by majority vote, a final plan for implementing a countywide 9-1-1 system. If~~ 805
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~~a planning committee and wireline service provider do not agree on~~ 810
~~whether the wireline service provider is capable of providing the~~ 811
~~wireline telephone network as described under division (A) of~~ 812
~~section 128.03 of the Revised Code and the planning committee~~ 813
~~refers that question to the steering committee, the steering~~ 814
~~committee may extend the nine month deadline established by this~~ 815
~~division to twelve months. Immediately on completion of the plan,~~ 816
~~the planning~~ (B)(1) The 9-1-1 program review committee shall send 817
a copy of the final plan: 818

~~(1)~~ (a) To the board of county commissioners of the county, 819
to the legislative authority of each municipal corporation in the 820
county, and to the board of township trustees of each township in 821
the county either by certified mail or, if the committee has 822
record of an internet identifier of record associated with the 823
board or legislative authority, by ordinary mail and by that 824
internet identifier of record; and 825

~~(2)~~ (b) To the board of trustees, directors, or park 826
commissioners of each subdivision that will be served by a public 827
safety answering point under the plan. 828

~~(D)~~ (2) The 9-1-1 program review committee shall file a copy 829
of its current final plan with the Ohio 9-1-1 program office not 830
later than six months after the effective date of this amendment. 831
Any revisions or amendments shall be filed not later than ninety 832
days after adoption. 833

(C) As used in this section, "internet identifier of record" 834
has the same meaning as in section 9.312 of the Revised Code. 835

Sec. 128.08. (A) Within sixty days after receipt of the final 836
plan pursuant to division ~~(C)~~ (B)(1) of section 128.07 of the 837
Revised Code, the board of county commissioners of the county and 838
the legislative authority of each municipal corporation in the 839

county and of each township whose territory is proposed to be 840
 included in a countywide 9-1-1 system shall act by resolution to 841
 approve or disapprove the plan, except that, with respect to a 842
 final plan that provides for funding of the 9-1-1 system in part 843
 through charges imposed under section ~~128.22~~ 128.35 of the Revised 844
 Code, the board of county commissioners shall not act by 845
 resolution to approve or disapprove the plan until after a 846
 resolution adopted under section ~~128.22~~ 128.35 of the Revised Code 847
 has become effective as provided in division (D) of that section. 848
~~A municipal corporation or township whose territory is proposed to~~ 849
~~be included in the system includes any municipal corporation or~~ 850
~~township in which a part of its territory is excluded pursuant to~~ 851
~~division (A)(2) of section 128.03 of the Revised Code.~~ Each such 852
 authority immediately shall notify the board of county 853
 commissioners in writing of its approval or disapproval of the 854
 final plan. Failure by a board or legislative authority to notify 855
 the board of county commissioners of approval or disapproval 856
 within such sixty-day period shall be deemed disapproval by the 857
 board or authority. 858

(B) As used in this division, "county's population" excludes 859
 the population of any municipal corporation or township that, 860
 under the plan, is completely excluded from 9-1-1 service in the 861
 county's final plan. A countywide plan is effective if all of the 862
 following entities approve the plan in accordance with this 863
 section: 864

(1) The board of county commissioners; 865

(2) The legislative authority of a municipal corporation that 866
 contains at least thirty per cent of the county's population, if 867
 any; 868

(3) The legislative authorities of municipal corporations and 869

townships that contain at least sixty per cent of the county's population or, if the plan has been approved by a municipal corporation that contains at least sixty per cent of the county's population, by the legislative authorities of municipal corporations and townships that contain at least seventy-five per cent of the county's population.

(C) After a countywide plan approved in accordance with this section is adopted, all of the telephone companies, subdivisions, and regional councils of governments included in the plan are subject to the specific requirements of the plan and to this chapter.

Sec. 128.12. (A) An amended final plan is required for any of the following purposes:

(1) Expanding the territory included in the countywide 9-1-1 system;

(2) Upgrading any part or all of a the countywide 9-1-1 system ~~from basic to enhanced wireline 9-1-1~~;

(3) Adjusting the territory served by a public safety answering point;

(4) Permitting a regional council of governments to operate a public safety answering point;

(5) Represcribing the funding of public safety answering points as between the alternatives set forth in division ~~(B)(5)~~ (A)(7) of section 128.07 of the Revised Code;

(6) Providing for wireless enhanced 9-1-1;

(7) Adding, changing, or removing a telephone company 9-1-1 system service provider as a participant in a the countywide 9-1-1 system ~~after the implementation of wireline 9-1-1 or wireless~~

~~enhanced 9-1-1;~~ 898

(8) Providing that the state highway patrol or one or more 899
 public safety answering points of another 9-1-1 system function as 900
 a public safety answering point or points for the provision of 901
 wireline or wireless 9-1-1 for all or part of the territory of the 902
 system established under the final plan, as contemplated under 903
 division ~~(J)~~ (I) of section 128.03 of the Revised Code; 904

(9) Making any other necessary adjustments to the plan. 905

~~(B)(1) To amend a final plan for the purpose described in 906
 division (A)(7) of this section, an entity that wishes to be added 907
 as a participant in a 9-1-1 system shall file a written letter of 908
 that intent with the board of county commissioners of the county 909
 that approved the final plan. The final plan is deemed amended 910
 upon the filing of that letter. The entity that files the letter 911
 shall send written notice of that filing to all subdivisions, 912
 regional councils of governments, and telephone companies 913
 participating in the system. 914~~

~~(2)~~ An amendment to a final plan for any other purpose set 915
 forth in division (A) of this section may be made by an addendum 916
 approved by a majority of the 9-1-1 planning program review 917
 committee. The board of county commissioners shall call a meeting 918
 of the 9-1-1 planning program review committee for the purpose of 919
 considering an addendum pursuant to this division. 920

~~(3)~~ (2) Adoption of any resolution under section ~~128.22~~ 921
128.35 of the Revised Code pursuant to a final plan that both has 922
 been adopted and provides for funding through charges imposed 923
 under that section is not an amendment of a final plan for the 924
 purpose of this division. 925

(C) When a final plan is amended for a purpose described in 926
 division (A)(1), (2), or (7) of this section, sections ~~128.18~~ 927

128.33 and 5733.55 of the Revised Code apply with respect to the 928
 receipt of the nonrecurring and recurring rates and charges for 929
 the wireline telephone network portion of the 9-1-1 system. 930

Sec. ~~128.40~~ 128.20. There is hereby created within the 931
 department of administrative services the 9-1-1 program office, 932
 headed by an administrator in the unclassified civil service 933
 pursuant to division (A)(9) of section 124.11 of the Revised Code. 934
 The administrator shall be appointed by and serve at the pleasure 935
 of the director of administrative services ~~and shall report~~ 936
~~directly to the state chief information officer.~~ The program 937
 office shall oversee administration of the ~~wireless~~ 9-1-1 938
 government assistance fund, the ~~wireless~~ 9-1-1 program fund, and 939
 the next generation 9-1-1 fund. 940

Sec. 128.21. (A) The 9-1-1 program office shall coordinate 941
and manage a statewide next generation 9-1-1 core services system. 942
The office shall interoperate the system with Canada and the 943
states that border this state. The office shall also manage the 944
vendors supplying the equipment and services for the system to the 945
department of administrative services. 946

(B)(1) The statewide next generation 9-1-1 core services 947
system shall be capable of providing 9-1-1 core services for all 948
of the territory of all the counties within this state, over both 949
land and water. The system shall route all 9-1-1 traffic using 950
location and policy-based routing to legacy enhanced 9-1-1 public 951
safety answering points, next generation 9-1-1 public safety 952
answering points, and local next generation 9-1-1 systems. The 953
system shall be designed to provide access to emergency services 954
from all connected communications sources and provide multimedia 955
data capabilities for public safety answering points and other 956
emergency service organizations. 957

(2) The emergency services internet protocol network that 958
supports the statewide next generation 9-1-1 core services system 959
shall be capable of being shared by all public safety agencies. It 960
may be constructed from a mix of dedicated and shared facilities. 961
It may be interconnected at local, regional, state, federal, 962
national, and international levels to form an 963
internet-protocol-based inter-network, or network of networks. 964

Sec. 128.211. (A) Not later than six months after the 965
effective date of this section, the 9-1-1 program office shall 966
draft, submit, or update a state of Ohio 9-1-1 plan to the 967
steering committee. The plan shall include all of the following: 968

(1) A specific plan to address the amendments to this chapter 969
by this act; 970

(2) Specific system details describing interoperability among 971
counties, the states bordering this state, and Canada; 972

(3) A progression plan for the system and sustainability 973
within the funding method encompassed by sections 128.41 to 974
128.422 of the Revised Code. 975

(B) Not later than six months after the plan is submitted 976
under division (A) of this section, the steering committee shall 977
review and may approve the plan. 978

Sec. 128.212. (A) Any entity in this state that operates a 979
9-1-1 system, emergency services internet-protocol network, or 980
public safety answering point and that pursues a 9-1-1 grant from 981
the state or federal government shall present a letter of 982
coordination from the 9-1-1 program office. 983

(B) The letter of coordination shall state all of the 984
following: 985

(1) The entity described in division (A) of this section; 986

(2) The specific grantor identification; 987

(3) The dollar amount of the grant; 988

(4) The intended use of the grant; 989

(5) The system, equipment, software, or any component to be 990
procured with the grant and the purpose of the grant do not 991
inhibit, conflict, or reduce interoperability with the statewide 992
next generation 9-1-1 core services system and emergency services 993
internet-protocol network and is consistent with the state of Ohio 994
9-1-1 plan. 995

Sec. 128.22. The 9-1-1 program office may do all of the 996
following: 997

(A) Expend funds from the 9-1-1 program fund for the purposes 998
of 9-1-1 public education; 999

(B) Coordinate, adopt, and communicate all necessary 1000
technical and operational standards and requirements to ensure an 1001
effective model for a statewide interconnected 9-1-1 system; 1002

(C) Collect and distribute data from and to public safety 1003
answering points, service providers, and emergency service 1004
providers regarding both of the following: 1005

(1) The status and operation of the components of the 1006
statewide 9-1-1 system, including all of the following: 1007

(a) The aggregate number of access lines that the provider 1008
maintains within this state; 1009

(b) The aggregate amount of costs and cost recovery 1010
associated with providing 9-1-1 service, including coverage under 1011
tariffs and bill and keep arrangements within this state; 1012

(c) Any other information requested by the steering committee 1013
and deemed necessary to support the transition to next generation 1014

9-1-1. 1015

(2) Location information necessary for the reconciliation and 1016
synchronization of next generation 9-1-1 location information, 1017
including all of the following: 1018

(a) Address location information; 1019

(b) Master street address guide; 1020

(c) Service order inputs; 1021

(d) Geographic information system files; 1022

(e) Street center lines; 1023

(f) Response boundaries; 1024

(g) Administrative boundaries; 1025

(h) Address points. 1026

(D) Require, coordinate, oversee, and limit data collection 1027
and distribution to ensure that data collection and distribution 1028
meets legal privacy and confidentiality requirements; 1029

(E) With advice from the 9-1-1 steering committee, enter into 1030
interlocal contracts, interstate contracts, intrastate contracts, 1031
and federal contracts for the purpose of implementing statewide 1032
9-1-1 services. 1033

Sec. 128.221. (A) The data described in section 128.22 of the 1034
Revised Code shall be protected in accordance with applicable 1035
provisions of the Revised Code. Charges, terms, and conditions for 1036
the disclosure or use of that data provided by public safety 1037
answering points, service providers, and emergency service 1038
providers for the purpose of 9-1-1 shall be subject to the 1039
jurisdiction of the steering committee. 1040

(B) Data and information that contribute to more effective 1041

9-1-1 services and emergency response may be accessed and shared among 9-1-1 and emergency response functions specifically for the purposes of effective emergency response, while ensuring the overall privacy and confidentiality of the data and information involved. 1042
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Sec. 128.23. (A) Every telecommunication service provider able to generate 9-1-1 traffic within the state shall do all of the following: 1047
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(1) Register with the 9-1-1 program office; 1050

(2) Provide a single point of contact to the 9-1-1 program office who has the authority to assist in location-data discrepancies, including 9-1-1 traffic misroutes and no-record-found errors; 1051
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(3) Provide location data for all 9-1-1 traffic with the accuracy and validity necessary to ensure proper routing to the most appropriate public safety answering point or local next generation 9-1-1 system. Provision of this location data may include both of the following: 1055
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(a) Preprovisioning of location data into a state-operated database utilizing industry standard protocols; 1060
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(b) Providing a routable location with the 9-1-1 traffic at call time, utilizing approved standards for both legacy and next generation 9-1-1. 1062
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(B) If a service provider subject to division (A) of this section is notified by the 9-1-1 program office of a discrepancy in location data, the service provider shall correct the discrepancy within seventy-two hours. 1065
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(C) All data provided under this section is private and subject to applicable privacy laws and shall not be considered a 1069
1070

"public record" for purposes of section 149.43 of the Revised Code. 1071
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Sec. 128.24. (A) Except as provided in division (C) of this section: 1073
 1074

(1) Each operator of a multiline telephone system that was installed or substantially renovated on or after the effective date of this section, shall provide to the end user the same level of 9-1-1 service that is provided to other end users of 9-1-1 within the state. That service shall include the provision of either of the following, which shall satisfy the requirements of division (A)(3) of this section: 1075
 1076
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(a) Legacy automatic number identification and automatic location identification; 1082
 1083

(b) Next generation 9-1-1 location data. 1084

(2) Each operator of a multiline telephone system that was installed or substantially renovated on or after the effective date of this section, shall provide an emergency-response-location identifier as part of the location transmission to the public safety answering point, using either legacy private-switch automatic location identification or next generation 9-1-1 methodologies. 1085
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(3) Each operator of a multiline telephone system that was installed or substantially renovated on or after the effective date of this section, shall identify the specific location of the caller using an emergency response location that includes the public street address of the building from which the call originated, a suite or room number, the building floor, and a building identifier, if applicable. 1092
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(B) All locations provided under this section shall be either 1099

master-street-address-guide or 1100
next-generation-9-1-1-location-validation-function valid. 1101

(C) The requirements of divisions (A)(1), (2), and (3) of 1102
this section do not apply to a multiline telephone system in a 1103
workspace of less than seven thousand square feet in a single 1104
building, on a single level of a structure, having a single public 1105
street address. 1106

Sec. 128.241. Beginning not later than one year after the 1107
effective date of this section and except as provided in sections 1108
128.242 and 128.243 of the Revised Code, a business service user 1109
that provides residential or business facilities, owns or controls 1110
a multiline telephone system or voice over internet protocol 1111
system in those facilities, and provides outbound dialing capacity 1112
from those facilities shall ensure both of the following: 1113

(A) In the case of a multiline telephone system that is 1114
capable of initiating a 9-1-1 call, the system is connected to the 1115
public switched telephone network in such a way that when an 1116
individual using the system dials 9-1-1, the call connects to the 1117
public safety answering point without requiring the user to dial 1118
any additional digit or code. 1119

(B) The system is configured to provide notification of any 1120
9-1-1 call made through the system to a centralized location on 1121
the same site as the system. The business service user is not 1122
required to have a person available at the location to receive a 1123
notification. 1124

Sec. 128.242. Except as provided in section 128.243 of the 1125
Revised Code, a business service user to which all of the 1126
following apply is exempt from the requirements of section 128.241 1127
of the Revised Code until two years after the effective date of 1128
this section: 1129

(A) The requirements would be unduly and unreasonably burdensome. 1130
1131

(B) The multiline telephone system or voice over internet protocol system needs to be reprogrammed or replaced. 1132
1133

(C) The business service user made a good-faith attempt to reprogram or replace the system. 1134
1135

(D) The business service user agrees to place an instructional sticker next to the telephones that explains how to access 9-1-1 in case of emergency, provides the specific location where the device is installed, and reminds the caller to give the location information to the 9-1-1 call taker. 1136
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1138
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(E) The instructions described in division (D) of this section are printed in at least sixteen-point boldface type in a contrasting color using a font that is easily readable. 1141
1142
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(F) The business service user affirms in an affidavit the conditions specified in divisions (B), (C), (D), and (E) of this section. 1144
1145
1146

(G) The affidavit described in division (F) of this section includes the manufacturer and model number of the system. 1147
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Sec. 128.243. Sections 128.241 and 128.242 of the Revised Code shall not apply if they are preempted by or in conflict with federal law. 1149
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Sec. 128.25. Each county shall provide a single point of contact to the 9-1-1 program office who has the authority to assist in location-data discrepancies, 9-1-1 traffic misroutes, and boundary disputes between public safety answering points. 1152
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Sec. 128.26. Not later than five years after the date that the statewide next generation 9-1-1 core services system is 1156
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operationally available to all counties in the state, each county 1158
or, as applicable, each regional council of governments, shall 1159
provide next generation 9-1-1 service for all areas to be covered 1160
as set forth in the county's final plan or the council's 1161
agreement. 1162

Sec. 128.27. A service provider that operates within a county 1163
that participates in the statewide next generation 9-1-1 core 1164
services system or within the area served by a regional council of 1165
governments that participates in that system shall deliver the 1166
9-1-1 traffic that originates in that geographic area to the next 1167
generation 9-1-1 core for that geographic area. 1168

Sec. 128.28. If a service provider or county participates in 1169
the statewide next generation 9-1-1 core services system, the 1170
service provider or county shall adhere to standards of the 9-1-1 1171
program office, which may include standards created by the 1172
national emergency number association and the internet engineering 1173
task force. 1174

~~Sec. 128.18~~ 128.33. (A) In accordance with this chapter and 1175
 Chapters 4901., 4903., 4905., and 4909. of the Revised Code, the 1176
 public utilities commission shall determine the just, reasonable, 1177
 and compensatory rates, tolls, classifications, charges, or 1178
 rentals to be observed and charged for the wireline telephone 1179
 network portion of a basic or enhanced 9-1-1 system, and each 1180
 telephone company that is a wireline service provider 1181
 participating in the system shall be subject to those chapters, to 1182
 the extent they apply, as to the service provided by its portion 1183
 of the wireline telephone network for the system as described in 1184
 the final plan ~~or to be installed pursuant to agreements under~~ 1185
~~section 128.09 of the Revised Code,~~ and as to the rates, tolls, 1186
 classifications, charges, or rentals to be observed and charged 1187
 for that service. 1188

(B) Only the customers of a participating telephone company 1189
described in division (A) of this section that are served within 1190
the area covered by a 9-1-1 system shall pay the recurring rates 1191
for the maintenance and operation of the company's portion of the 1192
wireline telephone network of the system. Such rates shall be 1193
computed by dividing the total monthly recurring rates set forth 1194
in the company's schedule as filed in accordance with section 1195
4905.30 of the Revised Code, by the total number of residential 1196
and business customer access lines, or their equivalent, within 1197
the area served. Each residential and business customer within the 1198
area served shall pay the recurring rates based on the number of 1199
its residential and business customer access lines or their 1200
equivalent. No company shall include such amount on any customer's 1201
bill until the company has completed its portion of the wireline 1202
telephone network in accordance with the terms, conditions, 1203
requirements, and specifications of the final plan ~~or an agreement~~ 1204
~~made under section 128.09 of the Revised Code.~~ 1205

(C)(1) Except as otherwise provided in division (C)(2) of 1206
this section, a participating telephone company described in 1207
division (A) of this section may receive through the credit 1208
authorized by section 5733.55 of the Revised Code the total 1209
nonrecurring charges for its portion of the wireline telephone 1210
network of the system and the total nonrecurring charges for any 1211
updating or modernization of that wireline telephone network in 1212
accordance with the terms, conditions, requirements, and 1213
specifications of the final plan ~~or pursuant to agreements under~~ 1214
~~section 128.09 of the Revised Code~~, as such charges are set forth 1215
in the schedule filed by the telephone company in accordance with 1216
section 4905.30 of the Revised Code. However, that portion, 1217
updating, or modernization shall not be for or include the 1218
provision of wireless 9-1-1. As applicable, the receipt of 1219

permissible charges shall occur only upon the completion of the 1220
 installation of the network or the completion of the updating or 1221
 modernization. 1222

(2) The credit shall not be allowed under division (C)(1) of 1223
 this section for the upgrading of a system from basic to enhanced 1224
 wireline 9-1-1 if both of the following apply: 1225

(a) The telephone company received the credit for the 1226
 wireline telephone network portion of the basic 9-1-1 system now 1227
 proposed to be upgraded. 1228

(b) At the time the final plan ~~or agreement pursuant to~~ 1229
~~section 128.09 of the Revised Code~~ calling for the basic 9-1-1 1230
 system was agreed to, the telephone company was capable of 1231
 reasonably meeting the technical and economic requirements of 1232
 providing the wireline telephone network portion of an enhanced 1233
 9-1-1 system within the territory proposed to be upgraded, ~~as~~ 1234
~~determined by the steering committee under division (A) or (H) of~~ 1235
~~section 128.03 or division (C) of section 128.09 of the Revised~~ 1236
 Code. 1237

(3) If the credit is not allowed under division (C)(2) of 1238
 this section, the total nonrecurring charges for the wireline 1239
 telephone network used in providing 9-1-1 service, as set forth in 1240
 the schedule filed by a telephone company in accordance with 1241
 section 4905.30 of the Revised Code, on completion of the 1242
 installation of the network in accordance with the terms, 1243
 conditions, requirements, and specifications of the final plan ~~or~~ 1244
~~pursuant to section 128.09 of the Revised Code~~, shall be paid by 1245
 the municipal corporations and townships with any territory in the 1246
 area in which such upgrade from basic to enhanced 9-1-1 is made. 1247

(D) If customer premises equipment for a public safety 1248
 answering point is supplied by a telephone company that is 1249

required to file a schedule under section 4905.30 of the Revised Code pertaining to customer premises equipment, the recurring and nonrecurring rates and charges for the installation and maintenance of the equipment specified in the schedule shall apply.

Sec. ~~128.22~~ 128.35. (A)(1) For the purpose of paying the costs of establishing, equipping, and furnishing one or more public safety answering points as part of a countywide 9-1-1 system effective under division (B) of section 128.08 of the Revised Code and paying the expense of administering and enforcing this section, the board of county commissioners of a county, in accordance with this section, may fix and impose, on each lot or parcel of real property in the county that is owned by a person, municipal corporation, township, or other political subdivision and is improved, or is in the process of being improved, reasonable charges to be paid by each such owner. The charges shall be sufficient to pay only the estimated allowed costs and shall be equal in amount for all such lots or parcels.

(2) For the purpose of paying the costs of operating and maintaining the answering points and paying the expense of administering and enforcing this section, the board, in accordance with this section, may fix and impose reasonable charges to be paid by each owner, as provided in division (A)(1) of this section, that shall be sufficient to pay only the estimated allowed costs and shall be equal in amount for all such lots or parcels. The board may fix and impose charges under this division pursuant to a resolution adopted for the purposes of both divisions (A)(1) and (2) of this section or pursuant to a resolution adopted solely for the purpose of division (A)(2) of this section, and charges imposed under division (A)(2) of this section may be separately imposed or combined with charges imposed

under division (A)(1) of this section. 1281

(B) Any board adopting a resolution under this section 1282
pursuant to a final plan initiating the establishment of a 9-1-1 1283
system or pursuant to an amendment to a final plan shall adopt the 1284
resolution within sixty days after the board receives the final 1285
plan for the 9-1-1 system pursuant to division ~~(C)~~ (B)(1) of 1286
section 128.07 of the Revised Code. The board by resolution may 1287
change any charge imposed under this section whenever the board 1288
considers it advisable. Any resolution adopted under this section 1289
shall declare whether securities will be issued under Chapter 133. 1290
of the Revised Code in anticipation of the collection of unpaid 1291
special assessments levied under this section. 1292

(C) The board shall adopt a resolution under this section at 1293
a public meeting held in accordance with section 121.22 of the 1294
Revised Code. Additionally, the board, before adopting any such 1295
resolution, shall hold at least two public hearings on the 1296
proposed charges. Prior to the first hearing, the board shall 1297
publish notice of the hearings once a week for two consecutive 1298
weeks in a newspaper of general circulation in the county or as 1299
provided in section 7.16 of the Revised Code. The notice shall 1300
include a listing of the charges proposed in the resolution and 1301
the date, time, and location of each of the hearings. The board 1302
shall hear any person who wishes to testify on the charges or the 1303
resolution. 1304

(D) No resolution adopted under this section shall be 1305
effective sooner than thirty days following its adoption nor shall 1306
any such resolution be adopted as an emergency measure. The 1307
resolution is subject to a referendum in accordance with sections 1308
305.31 to 305.41 of the Revised Code unless, in the resolution, 1309
the board of county commissioners directs the board of elections 1310

of the county to submit the question of imposing the charges to
the electors of the county at the next primary or general election
in the county occurring not less than ninety days after the
resolution is certified to the board. No resolution shall go into
effect unless approved by a majority of those voting upon it in
any election allowed under this division.

(E) To collect charges imposed under division (A) of this
section, the board of county commissioners shall certify them to
the county auditor of the county who then shall place them upon
the real property duplicate against the properties to be assessed,
as provided in division (A) of this section. Each assessment shall
bear interest at the same rate that securities issued in
anticipation of the collection of the assessments bear, is a lien
on the property assessed from the date placed upon the real
property duplicate by the auditor, and shall be collected in the
same manner as other taxes.

(F) All money collected by or on behalf of a county under
this section shall be paid to the county treasurer of the county
and kept in a separate and distinct fund to the credit of the
county. The fund shall be used to pay the costs allowed in
division (A) of this section and specified in the resolution
adopted under that division. In no case shall any surplus so
collected be expended for other than the use and benefit of the
county.

Sec. ~~128.42~~ 128.40. (A) ~~There~~ Ending three months after the
effective date of this section, there is hereby imposed ~~a the~~
~~following~~ wireless 9-1-1 ~~charge of twenty five cents per month as~~
~~follows~~ charges:

(1) On each wireless telephone number of a wireless service
subscriber who has a billing address in this state, a charge of

twenty-five cents per month. The subscriber shall pay the wireless 9-1-1 charge for each such wireless telephone number assigned to the subscriber. Each wireless service provider and each reseller shall collect the wireless 9-1-1 charge as a specific line item on each subscriber's monthly bill. The line item shall be expressly designated "State/Local Wireless-E911 Costs (\$0.25/billed number)." If a provider bills a subscriber for any wireless enhanced 9-1-1 costs that the provider may incur, the charge or amount is not to appear in the same line item as the state/local line item. If the charge or amount is to appear in its own, separate line item on the bill, the charge or amount shall be expressly designated "[Name of Provider] Federal Wireless-E911 Costs."

~~(2)(a) Prior to January 1, 2014, on each subscriber of prepaid wireless service. A wireless service provider or reseller shall collect the wireless 9-1-1 charge in either of the following manners:~~

~~(i) If the subscriber has a positive account balance on the last day of the month and has used the service during that month, by reducing that balance not later than the end of the first week of the following month by twenty five cents or an equivalent number of airtime minutes;~~

~~(ii) By dividing the total earned prepaid wireless telephone revenue from sales within this state received by the wireless service provider or reseller during the month by fifty, multiplying the quotient by twenty five cents.~~

~~(b) Amounts collected under division (A)(2) of this section shall be remitted pursuant to division (A)(1) of section 128.46 of the Revised Code.~~

~~The wireless 9-1-1 charges authorized under this section~~

~~shall not be imposed on a subscriber of wireless lifeline service~~ 1371
~~or a provider of that service.~~ 1372

~~(B) Beginning January 1, 2014:~~ 1373

~~(1) There is hereby imposed, on~~ On each retail sale of a 1374
 prepaid wireless calling service occurring in this state, a 1375
 wireless 9-1-1 charge of five-tenths of one per cent of the sale 1376
 price. 1377

~~(2) (B)~~ For purposes of division ~~(B)(1)~~ (A)(2) of this 1378
 section, a retail sale occurs in this state if it is effected by 1379
 the consumer appearing in person at a seller's business location 1380
 in this state, or if the sale is sourced to this state under 1381
 division (E)(3) of section 5739.034 of the Revised Code, except 1382
 that under that division, in lieu of sourcing a sale under 1383
 division (C)(5) of section 5739.033 of the Revised Code, the 1384
 seller, rather than the service provider, may elect to source the 1385
 sale to the location associated with the mobile telephone number. 1386

~~(3)(a) (C)(1)~~ (C)(1) Except as provided in division ~~(B)(4)(e)~~ (D)(3) 1387
 of this section, the seller of the prepaid wireless calling 1388
 service shall collect the charge imposed under division (A) of 1389
this section from the consumer at the time of each retail sale and 1390
 disclose the amount of the charge to the consumer at the time of 1391
 the sale by itemizing the charge on the receipt, invoice, or 1392
 similar form of written documentation provided to the consumer. 1393

~~(b) (2)~~ (2) The seller that collects the charge imposed under 1394
division (A) of this section shall comply with the reporting and 1395
 remittance requirements under section 128.46 of the Revised Code. 1396

~~(4) (D)~~ When a prepaid wireless calling service is sold with 1397
 one or more other products or services for a single, nonitemized 1398
 price, the wireless 9-1-1 charge imposed under division ~~(B)(1)~~ 1399

(A)(2) of this section shall apply to the entire nonitemized price, except as provided in divisions ~~(B)(4)(a)~~ (D)(1) to ~~(e)~~ (3) of this section.

~~(a)~~ (1) If the amount of the prepaid wireless calling service is disclosed to the consumer as a dollar amount, the seller may elect to apply the charge only to that dollar amount.

~~(b)~~ (2) If the seller can identify the portion of the nonitemized price that is attributable to the prepaid wireless calling service, by reasonable and verifiable standards from the seller's books and records that are kept in the regular course of business for other purposes, including nontax purposes, the seller may elect to apply the charge only to that portion.

~~(e)~~ (3) If a minimal amount of a prepaid wireless calling service is sold with a prepaid wireless calling device for the single, nonitemized price, the seller may elect not to collect the charge. As used in this division, "minimal" means either ten minutes or less or five dollars or less.

~~(C)~~ (E) The wireless 9-1-1 charges authorized under this section shall not be imposed on a subscriber of wireless lifeline service or a provider of that service.

(F) The wireless 9-1-1 charges shall be exempt from state or local taxation.

Sec. 128.41. Except as provided in sections 128.413 and 128.42 of the Revised Code:

(A) For a two-year period after the expiration of the fee described in section 128.40 of the Revised Code, there is imposed a next generation 9-1-1 access fee of sixty-four cents per month on each communications service to which both of the following apply:

(1) The communications service is sold in this state, 1429
registered to a service address or location within this state, or 1430
the subscriber's primary place of using the communications service 1431
is in this state. 1432

(2) The communications service is capable of initiating a 1433
direct connection to 9-1-1. 1434

(B) For a five-year period after the period described in 1435
division (A) of this section, there is imposed a next generation 1436
9-1-1 access fee on each communications service described in that 1437
division. The amount of the fee shall be sixty-four cents per 1438
month or, if the steering committee designates an alternate amount 1439
under section 128.411 of the Revised Code, that alternate amount. 1440

(C) After the five-year period described in division (B) of 1441
this section, there is imposed a next generation 9-1-1 access fee 1442
of sixty-four cents per month on each communications service 1443
described in division (A) of this section. 1444

Sec. 128.411. (A) For purposes of division (B) of section 1445
128.41 of the Revised Code, the steering committee may, on the 1446
first day of January of each year and subject to division (B) of 1447
this section, designate an alternate amount for the monthly next 1448
generation 9-1-1 access fee. The alternative amount shall satisfy 1449
both of the following requirements: 1450

(1) It may not be more than two cents above the fee amount 1451
for the previous year. 1452

(2) It may not be higher than sixty-four cents. 1453

(B) The steering committee may designate a fee amount that is 1454
higher than the previous year's fee amount only if there are 1455
outstanding transitional costs associated with the next generation 1456
9-1-1 system. 1457

(C) The steering committee shall report to the general assembly any action to increase the next generation 9-1-1 access fee. The report shall state the remaining amount of the counties' transitional costs of connecting to the statewide emergency services internet protocol network. 1458
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Sec. 128.412. (A) Except as provided in division (B) of this section and division (A) of section 128.413 of the Revised Code, the subscriber who is billed for a communications service described in division (A) of section 128.41 of the Revised Code shall pay a separate next generation 9-1-1 access fee for each such communications service for which the subscriber is billed. 1463
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(B) In the case of a multiline telephone system, the subscriber shall pay a separate fee for each line. The maximum number of separate fees imposed on a single subscriber with a multiline telephone system shall not exceed two hundred per building with a unique street address or physically identifiable location. 1469
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(C) In the case of a voice over internet protocol system, the subscriber shall pay a separate fee for each voice channel provided to the subscriber. The number of channels shall be equal to the number of outbound calls the subscriber can maintain at the same time using the system, but excludes a direct inward dialing number that merely routes an inbound call. 1475
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Sec. 128.413. The following are exempt from the next generation 9-1-1 access fee imposed under section 128.41 of the Revised Code: 1481
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(A) A subscriber of wireless lifeline service. 1484

(B) Wholesale transactions between telecommunications service providers where the service is a component of a service provided 1485
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to an end user. This exemption includes network access charges and interconnection charges paid to a local exchange carrier. 1487
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(C) Devices that solely rely on ancillary connection services for direct connection to the 9-1-1 system, excluding any devices capable of both direct and ancillary connection to the 9-1-1 system. 1489
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Sec. 128.414. Each service provider and each reseller shall collect the next generation 9-1-1 access fee imposed under section 128.41 of the Revised Code as a specific line item on each subscriber's monthly bill or point of sale invoice. The line item shall be expressly designated "Ohio Next Generation 9-1-1 Access Fee ([amount]/service/month)." If a provider bills a subscriber for any other 9-1-1 costs that the provider may incur, the charge or amount is not to appear in the same line item as the next generation 9-1-1 access fee line item. If the charge or amount is to appear in a separate line item on the bill, the charge or amount shall be expressly designated "[Name of Provider] [Description of charge or amount]." 1493
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Sec. 128.416. (A) Not later than twelve months after the effective date of this section, the steering committee shall submit a report to the general assembly on the effectiveness of the next generation 9-1-1 access fee at sixty-four cents per month. 1505
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(B) After the five-year period described in division (C) of section 128.41 of the Revised Code, the steering committee shall submit a report to the general assembly on a future amount for the next generation 9-1-1 access fee. 1510
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Sec. 128.417. After installation and operation for twelve months of the statewide next generation 9-1-1 system, the steering committee shall monitor the accounts where funds are generated 1514
1515
1516

from the next generation 9-1-1 access fee. The steering committee 1517
may reduce the next generation access fee if it is determined the 1518
obligations of the funds can still be met to avoid over-collection 1519
of fees. If the fee is reduced, the steering committee may 1520
increase the fee, not to exceed the maximum rate of sixty-four 1521
cents, to ensure adequate funding exists to meet the obligations 1522
of the funds. 1523

Sec. 128.418. The steering committee shall notify the tax 1524
commissioner of the committee's intent to adjust the next 1525
generation 9-1-1 access fee not later than six months before the 1526
adjustment takes effect. 1527

Sec. 128.42. (A) Three months after the effective date of 1528
this section, there is imposed, on each retail sale of a prepaid 1529
wireless calling service occurring in this state, a next 1530
generation 9-1-1 access fee of five-tenths of one per cent of the 1531
sale price. 1532

(B) For purposes of division (A) of this section, a retail 1533
sale occurs in this state if it is effected by the consumer 1534
appearing in person at a seller's business location in this state, 1535
or if the sale is sourced to this state under division (E)(3) of 1536
section 5739.034 of the Revised Code, except that under that 1537
division, in lieu of sourcing a sale under division (C)(5) of 1538
section 5739.033 of the Revised Code, the seller, rather than the 1539
service provider, may elect to source the sale to the location 1540
associated with the mobile telephone number. 1541

Sec. 128.421. Except as provided in division (B)(3) of 1542
section 128.422 of the Revised Code, the seller of the prepaid 1543
calling service shall collect the next generation 9-1-1 access fee 1544
imposed under section 128.42 of the Revised Code from the consumer 1545
at the time of each retail sale and disclose the amount of the fee 1546

to the consumer at the time of the sale by itemizing the fee on 1547
the receipt, invoice, or similar form of written documentation 1548
provided to the consumer. 1549

Sec. 128.422. (A) When a prepaid calling service is sold with 1550
one or more other products or services for a single, nonitemized 1551
price, the next generation 9-1-1 access fee imposed under section 1552
128.42 of the Revised Code shall apply to the entire nonitemized 1553
price, except as provided in divisions (B)(1) to (3) of this 1554
section. 1555

(B)(1) If the amount of the prepaid calling service is 1556
disclosed to the consumer as a dollar amount, the seller may elect 1557
to apply the fee only to that dollar amount. 1558

(2) If the seller can identify the portion of the nonitemized 1559
price that is attributable to the prepaid calling service, by 1560
reasonable and verifiable standards from the seller's books and 1561
records that are kept in the regular course of business for other 1562
purposes, including nontax purposes, the seller may elect to apply 1563
the fee only to that portion. 1564

(3) If a minimal amount of a prepaid calling service is sold 1565
with a prepaid wireless calling device for the single, nonitemized 1566
price, the seller may elect not to collect the fee. As used in 1567
this division, "minimal" means either ten minutes or less or five 1568
dollars or less. 1569

Sec. 128.43. The next generation 9-1-1 access fee imposed 1570
under sections 128.41 and 128.42 of the Revised Code shall be 1571
exempt from state or local taxation. 1572

Sec. 128.44. Beginning January 1, 2014, the ~~The~~ tax 1573
 commissioner shall provide notice to all known wireless service 1574
 providers, resellers, and sellers of prepaid wireless calling 1575
 services of any increase or decrease in either of the ~~wireless~~ 1576

next generation 9-1-1 charges access fee imposed under ~~section~~ 1577
sections 128.41 and 128.42 of the Revised Code. Each notice shall 1578
 be provided not less than thirty days before the effective date of 1579
 the increase or decrease. 1580

Sec. 128.45. (A) Each entity required to bill and collect a 1581
wireless 9-1-1 charge under section 128.40 of the Revised Code or 1582
the next generation 9-1-1 access fee under section 128.414 or 1583
128.421 of the Revised Code shall keep complete and accurate 1584
records of bills that include the charges and fees, together with 1585
a record of the charges and fees collected under those sections. 1586
The entities shall keep all related invoices and other pertinent 1587
documents. 1588

(B) Each seller shall keep complete and accurate records of 1589
retail sales of prepaid wireless calling services, together with a 1590
record of the charges and fees collected under sections 128.40 and 1591
128.421 of the Revised Code, and shall keep all related invoices 1592
and other pertinent documents. 1593

Sec. ~~128.45~~ 128.451. ~~Beginning January 1, 2014:~~ 1594

~~(A) Each wireless service provider and reseller shall keep~~ 1595
~~complete and accurate records of bills for wireless service,~~ 1596
~~together with a record of the wireless 9-1-1 charges collected~~ 1597
~~under section 128.42 of the Revised Code, and shall keep all~~ 1598
~~related invoices and other pertinent documents. Each seller shall~~ 1599
~~keep complete and accurate records of retail sales of prepaid~~ 1600
~~wireless calling services, together with a record of the wireless~~ 1601
~~9-1-1 charges collected under section 128.42 of the Revised Code,~~ 1602
~~and shall keep all related invoices and other pertinent documents.~~ 1603

~~(B)~~ Records, invoices, and documents required to be kept 1604
 under ~~this~~ section 128.45 of the Revised Code shall be open during 1605
 business hours to the inspection of the tax commissioner. They 1606

shall be preserved for a period of four years unless the tax 1607
 commissioner, in writing, consents to their destruction within 1608
 that period, or by order requires that they be kept longer. 1609

Sec. 128.46. (A) ~~Prior to January 1, 2014:~~ 1610

~~(1) A wireless service provider or reseller, not later than 1611
 the last day of each month, shall remit the full amount of all 1612
 wireless 9-1-1 charges it collected under division (A) of section 1613
 128.42 of the Revised Code for the second preceding calendar month 1614
 to the administrator, with the exception of charges equivalent to 1615
 the amount authorized as a billing and collection fee under 1616
 division (A)(2) of this section. In doing so, the provider or 1617
 reseller may remit the requisite amount in any reasonable manner 1618
 consistent with its existing operating or technological 1619
 capabilities, such as by customer address, location associated 1620
 with the wireless telephone number, or another allocation method 1621
 based on comparable, relevant data. If the wireless service 1622
 provider or reseller receives a partial payment for a bill from a 1623
 wireless service subscriber, the wireless service provider or 1624
 reseller shall apply the payment first against the amount the 1625
 subscriber owes the wireless service provider or reseller and 1626
 shall remit to the administrator such lesser amount, if any, as 1627
 results from that invoice. 1628~~

~~(2) A wireless service provider or reseller may retain as a 1629
 billing and collection fee two per cent of the total wireless 1630
 9-1-1 charges it collects in a month and shall account to the 1631
 administrator for the amount retained. 1632~~

~~(3) The administrator shall return to, or credit against the 1633
 next month's remittance of, a wireless service provider or 1634
 reseller the amount of any remittances the administrator 1635
 determines were erroneously submitted by the provider or reseller. 1636~~

~~(B) Beginning January 1, 2014:~~ 1637

(1) ~~Each seller of a prepaid wireless calling service, wireless service provider, and reseller~~ An entity required to collect a wireless 9-1-1 charge under section 128.40 of the Revised Code or the next generation 9-1-1 access fee under section 128.414 or 128.421 of the Revised Code shall, on or before the twenty-third day of each month, except as provided in divisions ~~(B)~~(A)(2) and (3) of this section, do both of the following: 1638-1644

(a) Make and file a return for the preceding month, in the form prescribed by the tax commissioner, showing the amount of the ~~wireless 9-1-1 charges or fees due under section 128.42 of the Revised Code~~ for that month; 1645-1648

(b) Remit the full amount due, as shown on the return, with the exception of charges and fees equivalent to the amount authorized as a collection fee under division (B)~~(4)~~ of this section. 1649-1652

(2) The commissioner may grant one or more thirty-day extensions for making and filing returns and remitting amounts due. 1653-1655

(3) If a seller is required to collect prepaid wireless 9-1-1 charges under section 128.40 of the Revised Code or next generation 9-1-1 access fees under section 128.421 of the Revised Code in amounts that do not merit monthly returns, the commissioner may authorize the seller to make and file returns less frequently. The commissioner shall ascertain whether this authorization is warranted upon the basis of administrative costs to the state. 1656-1663

~~(4)~~ (B) A wireless service provider, reseller, and seller may each retain as a collection fee three per cent of the total 1664-1665

wireless 9-1-1 charges required to be collected under section 1666
~~128.42~~ 128.40 of the Revised Code, and shall account to the tax 1667
 commissioner for the amount retained. 1668

~~(5)~~ (C) The return required under division ~~(B)~~(A)(1)(a) of 1669
 this section shall be filed electronically using the Ohio business 1670
 gateway, as defined in section 718.01 of the Revised Code, ~~the~~ 1671
~~Ohio telefile system,~~ or any other electronic means prescribed by 1672
 the tax commissioner. Remittance of the amount due shall be made 1673
 electronically in a manner approved by the commissioner. A 1674
~~wireless service provider, reseller, or seller~~ An entity required 1675
to file the return may apply to the commissioner on a form 1676
 prescribed by the commissioner to be excused from either 1677
 electronic requirement of this division. For good cause shown, the 1678
 commissioner may excuse the ~~provider, reseller, or seller~~ entity 1679
 from either or both of the requirements and may permit the 1680
~~provider, reseller, or seller~~ entity to file returns or make 1681
 remittances by nonelectronic means. 1682

~~(C)(D)(1)~~ Prior to January 1, 2014, each subscriber on which 1683
 a wireless 9-1-1 charge is imposed under division (A) of section 1684
~~128.42 of the Revised Code is liable to the state for the amount~~ 1685
~~of the charge. If a wireless service provider or reseller fails to~~ 1686
~~collect the charge under that division from a subscriber of~~ 1687
~~prepaid wireless service, or fails to bill any other subscriber~~ 1688
~~for the charge, the wireless service provider or reseller is~~ 1689
~~liable to the state for the amount not collected or billed. If a~~ 1690
~~wireless service provider or reseller collects charges under that~~ 1691
~~division and fails to remit the money to the administrator, the~~ 1692
~~wireless service provider or reseller is liable to the state for~~ 1693
~~any amount collected and not remitted.~~ 1694

~~(2) Beginning January 1, 2014:~~ 1695

(a) Each subscriber or consumer on which a wireless 9-1-1 charge is imposed under section ~~128.42~~ 128.40 of the Revised Code or on which a next generation 9-1-1 access fee is imposed under section 128.41 or 128.42 of the Revised Code is liable to the state for the amount of the charge. ~~If a wireless service provider or reseller fails~~

(2) An entity required to bill or collect the wireless 9-1-1 charge, under section 128.40 of the Revised Code or if a seller fails to collect the charge, the provider, reseller, or seller is liable to the state for the amount not billed or collected. If a provider, reseller, or seller fails to remit money to the tax commissioner as required under this section, the provider, reseller, or seller the next generation 9-1-1 access fee under section 128.414 or 128.421 of the Revised Code is liable to the state for ~~the~~ any amount that was required to be collected but that was not remitted, regardless of whether the amount was collected.

(b) (3) No provider of a prepaid wireless calling service shall be liable to the state for any wireless 9-1-1 charge imposed under ~~division (B)(1) of section 128.40 of the Revised Code or any next generation 9-1-1 access fee imposed under section 128.42 of~~ the Revised Code that was not collected or remitted.

~~(D) Prior to January 1, 2014:~~

(1) ~~If the steering committee has reason to believe that a wireless service provider or reseller has failed to bill, collect, or remit the wireless 9-1-1 charge as required by divisions (A)(1) and (C)(1) of this section or has retained more than the amount authorized under division (A)(2) of this section, and after written notice to the provider or reseller, the steering committee may audit the provider or reseller for the sole purpose of making~~

~~such a determination. The audit may include, but is not limited to, a sample of the provider's or reseller's billings, collections, remittances, or retentions for a representative period, and the steering committee shall make a good faith effort to reach agreement with the provider or reseller in selecting that sample.~~

~~(2) Upon written notice to the wireless service provider or reseller, the steering committee, by order after completion of the audit, may make an assessment against the provider or reseller if, pursuant to the audit, the steering committee determines that the provider or reseller has failed to bill, collect, or remit the wireless 9-1-1 charge as required by divisions (A)(1) and (C)(1) of this section or has retained more than the amount authorized under division (A)(2) of this section. The assessment shall be in the amount of any remittance that was due and unpaid on the date notice of the audit was sent by the steering committee to the provider or reseller or, as applicable, in the amount of the excess amount under division (A)(2) of this section retained by the provider or reseller as of that date.~~

~~(3) The portion of any assessment not paid within sixty days after the date of service by the steering committee of the assessment notice under division (D)(2) of this section shall bear interest from that date until paid at the rate per annum prescribed by section 5703.47 of the Revised Code. That interest may be collected by making an assessment under division (D)(2) of this section. An assessment under this division and any interest due shall be remitted in the same manner as the wireless 9-1-1 charge imposed under division (A) of section 128.42 of the Revised Code.~~

~~(4) Unless the provider, reseller, or seller assessed files~~

~~with the steering committee within sixty days after service of the notice of assessment, either personally or by certified mail, a written petition for reassessment, signed by the party assessed or that party's authorized agent having knowledge of the facts, the assessment shall become final and the amount of the assessment shall be due and payable from the party assessed to the administrator. The petition shall indicate the objections of the party assessed, but additional objections may be raised in writing if received by the administrator or the steering committee prior to the date shown on the final determination.~~

~~(5) After an assessment becomes final, if any portion of the assessment remains unpaid, including accrued interest, a certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas in the county in which the place of business of the assessed party is located. If the party assessed maintains no place of business in this state, the certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas of Franklin county. Immediately upon the filing, the clerk shall enter a judgment for the state against the assessed party in the amount shown on the final assessment. The judgment may be filed by the clerk in a loose leaf book entitled "special judgments for wireless 9-1-1 charges" and shall have the same effect as other judgments. The judgment shall be executed upon the request of the steering committee.~~

~~(6) An assessment under this division does not discharge a subscriber's liability to reimburse the provider or reseller for the wireless 9-1-1 charge imposed under division (A) of section 128.42 of the Revised Code. If, after the date of service of the audit notice under division (D)(1) of this section, a subscriber pays a wireless 9-1-1 charge for the period covered by the~~

assessment, the payment shall be credited against the assessment. 1787

~~(7) All money collected by the administrator under division 1788~~
~~(D) of this section shall be paid to the treasurer of state, for 1789~~
~~deposit to the credit of the wireless 9-1-1 government assistance 1790~~
~~fund. 1791~~

~~(E) Beginning January 1, 2014: 1792~~

(1) If the tax commissioner has reason to believe that a 1793
~~wireless service provider, reseller, or seller~~ an entity required 1794
to collect a wireless 9-1-1 charge under section 128.40 of the 1795
Revised Code or the next generation 9-1-1 access fee under section 1796
128.414 or 128.421 of the Revised Code has failed to bill, 1797
collect, or remit the ~~wireless 9-1-1 charge~~ or fee as required by 1798
this section and ~~section 128.42~~ sections 128.40 to 128.422 of the 1799
Revised Code or has retained more than the amount authorized under 1800
division (B)~~(4)~~ of this section, and after written notice to the 1801
~~provider, reseller, or seller~~ entity, the tax commissioner may 1802
audit the ~~provider, reseller, or seller~~ entity for the sole 1803
purpose of making such a determination. The audit may include, but 1804
is not limited to, a sample of the ~~provider's, reseller's, or~~ 1805
~~seller's~~ entity's billings, collections, remittances, or 1806
retentions for a representative period, and the tax commissioner 1807
shall make a good faith effort to reach agreement with the 1808
~~provider, reseller, or seller~~ entity in selecting that sample. 1809

(2) Upon written notice to the ~~wireless service provider,~~ 1810
~~reseller, or seller~~ entity, the tax commissioner, after completion 1811
of the audit, may make an assessment against the ~~provider,~~ 1812
~~reseller, or seller~~ entity if, pursuant to the audit, the tax 1813
commissioner determines that the ~~provider, reseller, or seller~~ 1814
entity has failed to bill, collect, or remit the ~~wireless 9-1-1~~ 1815
charge or fee as required by ~~this section and section 128.42~~ 1816

sections 128.40 to 128.422 of the Revised Code or has retained 1817
 more than the amount authorized under division (B)(4) of this 1818
 section. The assessment shall be in the amount of any remittance 1819
 that was due and unpaid on the date notice of the audit was sent 1820
 by the tax commissioner to the ~~provider, reseller, or seller~~ 1821
entity or, as applicable, in the amount of the excess amount under 1822
 division (B)(4) of this section retained by the ~~provider,~~ 1823
~~reseller, or seller~~ entity as of that date. 1824

(3) The portion of any assessment consisting of ~~wireless~~ 1825
~~9-1-1~~ charges or fees due and not paid within sixty days after the 1826
 date that the assessment was made under division (E)(2) of this 1827
 section shall bear interest from that date until paid at the rate 1828
 per annum prescribed by section 5703.47 of the Revised Code. That 1829
 interest may be collected by making an assessment under division 1830
 (E)(2) of this section. 1831

(4) Unless the ~~provider, reseller, or seller~~ entity assessed 1832
 files with the tax commissioner within sixty days after service of 1833
 the notice of assessment, either personally or by certified mail, 1834
 a written petition for reassessment, signed by the ~~party~~ entity 1835
 assessed or that ~~party's~~ entity's authorized agent having 1836
 knowledge of the facts, the assessment shall become final and the 1837
 amount of the assessment shall be due and payable from the ~~party~~ 1838
entity assessed to the treasurer of state, for deposit to the next 1839
 generation 9-1-1 fund, which is created under section 128.54 of 1840
 the Revised Code. The petition shall indicate the objections of 1841
 the ~~party~~ entity assessed, but additional objections may be raised 1842
 in writing if received by the commissioner prior to the date shown 1843
 on the final determination. If the petition has been properly 1844
 filed, the commissioner shall proceed under section 5703.60 of the 1845
 Revised Code. 1846

(5) After an assessment becomes final, if any portion of the 1847

assessment remains unpaid, including accrued interest, a certified
 copy of the final assessment may be filed in the office of the
 clerk of the court of common pleas in the county in which the
 business of the assessed ~~party~~ entity is conducted. If the ~~party~~
~~entity~~ assessed maintains no place of business in this state, the
 certified copy of the final assessment may be filed in the office
 of the clerk of the court of common pleas of Franklin county.
 Immediately upon the filing, the clerk shall enter a judgment for
 the state against the assessed ~~party~~ entity in the amount shown on
 the final assessment. The judgment may be filed by the clerk in a
 loose-leaf book entitled "special judgments for ~~wireless~~ 9-1-1
 charges and fees" and shall have the same effect as other
 judgments. The judgment shall be executed upon the request of the
 tax commissioner.

(6) If the commissioner determines that the commissioner
 erroneously has refunded a ~~wireless~~ 9-1-1 charge or fee to any
 person, the commissioner may make an assessment against that
 person for recovery of the erroneously refunded charge.

(7) An assessment under division (E) of this section does not
 discharge a subscriber's or consumer's liability to reimburse the
~~provider, reseller, or seller~~ entity for a ~~wireless~~ 9-1-1 charge
or fee. If, after the date of service of the audit notice under
 division (E)(1) of this section, a subscriber or consumer pays a
~~wireless~~ 9-1-1 charge or fee for the period covered by the
 assessment, the payment shall be credited against the assessment.

Sec. 128.461. ~~Beginning January 1, 2014, any~~ Every wireless
 9-1-1 charge and next generation 9-1-1 access fee required to be
 remitted under section 128.46 of the Revised Code shall be subject
 to interest as prescribed by section 5703.47 of the Revised Code,
 calculated from the date the ~~wireless 9-1-1~~ charge or fee was due

under section 128.46 of the Revised Code to the date the ~~wireless~~ 1878
~~9-1-1~~ charge or fee is remitted or the date of assessment, 1879
 whichever occurs first. 1880

Sec. 128.462. ~~Beginning January 1, 2014:~~ 1881

(A) Except as otherwise provided in this section, no 1882
 assessment shall be made or issued against a ~~wireless service~~ 1883
~~provider, reseller, or seller~~ an entity for any wireless 9-1-1 1884
 charge ~~imposed by or pursuant to~~ required to be collected under 1885
~~section 128.42~~ 128.40 of the Revised Code or any next generation 1886
9-1-1 access fee required to be collected under section 128.414 or 1887
128.421 of the Revised Code more than four years after the return 1888
 date for the period in which the sale or purchase was made, or 1889
 more than four years after the return for such period is filed, 1890
 whichever is later. This division does not bar an assessment: 1891

(1) When the tax commissioner has substantial evidence of 1892
 amounts of ~~wireless 9-1-1~~ charges or fees collected by a ~~provider,~~ 1893
~~reseller, or seller~~ an entity from subscribers or consumers, which 1894
 were not returned to the state; 1895

(2) When the ~~provider, reseller, or seller~~ entity assessed 1896
 failed to file a return as required by section 128.46 of the 1897
 Revised Code; 1898

(3) When the ~~provider, reseller, or seller~~ entity and the 1899
 commissioner waive in writing the time limitation. 1900

(B) No assessment shall be made or issued against a ~~wireless~~ 1901
~~service provider, reseller, or seller~~ an entity for any wireless 1902
 9-1-1 charge imposed by ~~or pursuant to~~ section 128.40 of the 1903
Revised Code or next generation 9-1-1 access fee imposed by 1904
section 128.41 or 128.42 of the Revised Code for any period during 1905
 which there was in full force and effect a rule of the tax 1906
 commissioner under or by virtue of which the collection or payment 1907

of any such ~~wireless 9-1-1~~ charge or fee was not required. This 1908
 division does not bar an assessment when the tax commissioner has 1909
 substantial evidence of amounts of ~~wireless 9-1-1~~ charges or fees 1910
 collected by a ~~provider, reseller, or seller~~ an entity from 1911
 subscribers or consumers, which were not returned to the state. 1912

Sec. 128.47. ~~Beginning January 1, 2014:~~ 1913

(A) ~~A wireless service provider, reseller, seller, wireless~~ 1914
~~service~~ An entity required to collect a wireless 9-1-1 charge 1915
under section 128.40 of the Revised Code or the next generation 1916
9-1-1 access fee under section 128.414 or 128.421 of the Revised 1917
Code, a subscriber, or a consumer of a prepaid wireless calling 1918
~~service~~ may apply to the tax commissioner for a refund of ~~wireless~~ 1919
~~9-1-1~~ charges or fees described in division (B) of this section 1920
 and of any penalties assessed with respect to such charges. The 1921
 application shall be made on the form prescribed by the tax 1922
 commissioner. The application shall be made not later than four 1923
 years after the date of the illegal or erroneous payment of the 1924
charge or fee by the subscriber or consumer, unless the ~~wireless~~ 1925
~~service provider, reseller, or seller~~ entity waives the time 1926
 limitation under division (A)(3) of section 128.462 of the Revised 1927
 Code. If the time limitation is waived, the refund application 1928
 period shall be extended for the same period as the waiver. 1929

(B)(1) If a ~~wireless service provider, reseller, or seller~~ an 1930
entity refunds to a subscriber or consumer the full amount of 1931
 wireless 9-1-1 charges or next generation 9-1-1 access fees that 1932
 the subscriber or consumer paid illegally or erroneously, and if 1933
 the ~~provider, reseller, or seller~~ entity remitted that amount 1934
 under section 128.46 of the Revised Code, the tax commissioner 1935
 shall refund that amount to the ~~provider, reseller, or~~ 1936
~~seller~~entity. 1937

(2) If a ~~wireless service provider, reseller, or seller~~ an entity has illegally or erroneously billed a subscriber or charged a consumer for a wireless 9-1-1 charge or a next generation 9-1-1 access fee, and if the ~~provider, reseller, or seller~~ entity has not collected the charge or fee but has remitted that amount under section 128.46 of the Revised Code, the tax commissioner shall refund that amount to the ~~provider, reseller, or seller~~ entity.

(C)(1) The tax commissioner may refund to a subscriber or consumer wireless 9-1-1 charges or next generation 9-1-1 access fees paid illegally or erroneously to a ~~provider, reseller, or seller~~ an entity only if both of the following apply:

(a) The tax commissioner has not refunded the wireless 9-1-1 charges or fees to the ~~provider, reseller, or seller~~ entity.

(b) The ~~provider, reseller, or seller~~ entity has not refunded the ~~wireless 9-1-1~~ charges or fees to the subscriber or consumer.

(2) The tax commissioner may require the subscriber or consumer to obtain from the ~~provider, reseller, or seller~~ entity a written statement confirming that the ~~provider, reseller, or seller~~ entity has not refunded the ~~wireless 9-1-1~~ charges or fees to the subscriber or consumer and that the ~~provider, reseller, or seller~~ entity has not filed an application for a refund under this section. The tax commissioner may also require the ~~provider, reseller, or seller~~ entity to provide this statement.

(D) On the filing of an application for a refund under this section, the tax commissioner shall determine the amount of refund to which the applicant is entitled. If the amount is not less than that claimed, the commissioner shall certify the determined amount to the director of budget and management and the treasurer of state for payment from the tax refund fund created under section 5703.052 of the Revised Code. If the amount is less than that

claimed, the commissioner shall proceed in accordance with section 1968
 5703.70 of the Revised Code. 1969

(E) Refunds granted under this section shall include interest 1970
 as provided by section 5739.132 of the Revised Code. 1971

Sec. 128.52. (A) ~~Beginning on July 1, 2013, each~~ Each seller 1972
 of a prepaid wireless calling service required to collect prepaid 1973
 wireless 9-1-1 charges under ~~division (B) of section 128.42~~ 128.40 1974
of the Revised Code or next generation 9-1-1 access fees under 1975
section 128.421 of the Revised Code shall also be subject to the 1976
 provisions of Chapter 5739. of the Revised Code regarding the 1977
 excise tax on retail sales levied under section 5739.02 of the 1978
 Revised Code, as those provisions apply to audits, assessments, 1979
 appeals, enforcement, liability, and penalties. 1980

(B) The tax commissioner shall establish procedures by which 1981
 a person may document that a sale is not a retail sale of a 1982
 prepaid wireless calling service. The procedures shall 1983
 substantially coincide with similar procedures under Chapter 5739. 1984
 of the Revised Code. 1985

Sec. 128.54. (A)(1) For the purpose of receiving, 1986
 distributing, and accounting for amounts received from the 1987
 wireless 9-1-1 charges imposed under section 128.40 of the Revised 1988
Code and the next generation 9-1-1 access fees imposed under 1989
sections 128.41 and 128.42 of the Revised Code, the following 1990
 funds are created in the state treasury: 1991

- (a) The ~~wireless~~ 9-1-1 government assistance fund; 1992
- (b) The ~~wireless~~ 9-1-1 administrative fund; 1993
- (c) The ~~wireless~~ 9-1-1 program fund; 1994
- (d) The next generation 9-1-1 fund. 1995

(2) Amounts remitted under section 128.46 of the Revised Code shall be paid to the treasurer of state for deposit as follows:	1996
	1997
(a) Ninety-seven <u>Seventy-two</u> per cent to the wireless 9-1-1 government assistance fund. All interest earned on the wireless 9-1-1 government assistance fund shall be credited to the fund.	1998
	1999
	2000
(b) One per cent to the wireless 9-1-1 administrative fund;	2001
(c) Two per cent to the 9-1-1 program fund;	2002
<u>(d) Twenty-five per cent to the next generation 9-1-1 fund.</u>	2003
(3) The tax commissioner shall use the wireless 9-1-1 administrative fund to defray the costs incurred in carrying out this chapter.	2004
	2005
	2006
(4) The steering committee shall use the 9-1-1 program fund to defray the costs incurred by the steering committee in carrying out this chapter.	2007
	2008
	2009
(5) Annually, the tax commissioner, after paying administrative costs under division (A)(3) of this section, shall transfer any excess remaining in the wireless 9-1-1 administrative fund to the next generation 9-1-1 fund, created under this section.	2010
	2011
	2012
	2013
	2014
(B) At the direction of the steering committee, the tax commissioner shall transfer the funds remaining in the wireless 9-1-1 government assistance fund to the credit of the next generation 9-1-1 fund. All interest earned on the next generation 9-1-1 fund shall be credited to the fund.	2015
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	2019
(C) From the wireless 9-1-1 government assistance fund, the director of budget and management shall, as funds are available, transfer to the tax refund fund, created under section 5703.052 of the Revised Code, amounts equal to the refunds certified by the	2020
	2021
	2022
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tax commissioner under division (D) of section 128.47 of the Revised Code. 2024
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Sec. 128.55. (A)(1) The tax commissioner, ~~not later than the last day of each month,~~ shall disburse moneys from the wireless 9-1-1 government assistance fund, plus any accrued interest on the fund, to each county treasurer in the same proportion distributed to that county by the tax commissioner in the corresponding calendar month of the previous year. Any shortfall in distributions resulting from the timing of funds received in a previous month shall be distributed in the following month. Disbursements shall occur not later than the tenth day of the month succeeding the month in which the wireless 9-1-1 charges imposed under section 128.40 of the Revised Code and the next generation 9-1-1 access fees imposed under sections 128.41 and 128.42 of the Revised Code are remitted. 2026
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(2) The ~~tax commissioner shall disburse moneys from the next generation 9-1-1 fund in accordance with the guidelines established under section 128.022 of the Revised Code~~ shall be administered by the department of administrative services and used exclusively to pay costs of installing, maintaining, and operating the call routing and core services statewide next generation 9-1-1 system. 2039
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(B) Immediately upon receipt by a county treasurer of a disbursement under division (A) of this section, the county shall disburse, in accordance with the allocation formula set forth in the final plan, the amount the county so received to any other subdivisions in the county and any regional councils of governments in the county that pay the costs of a public safety answering point providing wireless enhanced 9-1-1 under the plan. 2046
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(C) Nothing in this chapter affects the authority of a 2053

subdivision operating or served by a public safety answering point 2054
of a 9-1-1 system or a regional council of governments operating a 2055
public safety answering point of a 9-1-1 system to use, as 2056
provided in the final plan for the system ~~or in an agreement under~~ 2057
~~section 128.09 of the Revised Code~~, any other authorized revenue 2058
of the subdivision or the regional council of governments for the 2059
purposes of providing basic or enhanced 9-1-1. 2060

Sec. 128.57. ~~Except as otherwise provided in section 128.571~~ 2061
~~of the Revised Code:~~ 2062

(A) A countywide 9-1-1 system receiving a disbursement under 2063
section 128.55 of the Revised Code shall provide countywide 2064
wireless enhanced 9-1-1 in accordance with this chapter beginning 2065
as soon as reasonably possible after receipt of the first 2066
disbursement or, if that service is already implemented, shall 2067
continue to provide such service. Except as provided in divisions 2068
(B), (C), ~~and (E)~~, and (F) of this section, a disbursement shall 2069
be used solely for the purpose of paying either or both of the 2070
following: 2071

(1) Any costs of ~~designing~~ the following: 2072

(a) Designing, upgrading, purchasing, leasing, programming, 2073
installing, testing, or maintaining the necessary data, hardware, 2074
software, and trunking required for the public safety answering 2075
point or points of the 9-1-1 system to provide wireless, enhanced, 2076
or next generation 9-1-1, ~~which costs are incurred before or on or~~ 2077
~~after May 6, 2005, and consist of such additional costs of the~~ 2078
~~9-1-1 system over and above any costs incurred to provide wireline~~ 2079
~~9-1-1 or to otherwise provide wireless enhanced 9-1-1. Annually,~~ 2080
~~up to twenty five thousand dollars of the disbursements received~~ 2081
~~on or after January 1, 2009, may be applied to data, hardware, and~~ 2082
~~software that automatically alerts personnel receiving a 9-1-1~~ 2083

~~call that a person at the subscriber's address or telephone number 2084
 may have a mental or physical disability, of which that personnel 2085
 shall inform the appropriate service; 2086~~

~~(b) Processing 9-1-1 emergency calls from the point of origin 2087
to include any expense for interoperable bidirectional computer 2088
aided dispatch data transfers with other public safety answering 2089
points or emergency services organizations and transferring and 2090
receiving law enforcement, fire, and emergency medical service 2091
 provider. On or after the provision of technical and operational 2092
 standards pursuant to section 128.021 of the Revised Code, a 2093
 regional council of governments operating a public safety 2094
 answering point or a subdivision shall consider the standards 2095
 before incurring any costs described in this division. data via 2096
wireless or internet connections from public safety answering 2097
points or emergency services organizations to all applicable 2098
emergency responders. 2099~~

~~(2) Any costs of training the staff of the public safety 2100
 answering point or points to provide wireless enhanced 9-1-1- 2101
 which costs are incurred before or on or after May 6, 2005. 2102~~

~~(B) A subdivision or a regional council of governments that 2103
 certifies to the steering committee that it has paid the costs 2104
 described in divisions (A)(1) and (2) of this section and is 2105
 providing countywide wireless enhanced 9-1-1 may use disbursements 2106
 received under section 128.55 of the Revised Code to pay any of 2107
 its personnel costs of one or more public safety answering points 2108
 providing countywide wireless enhanced 9-1-1. 2109~~

~~(C) After receiving its July 2013 disbursement under division 2110
 (A) of section 128.55 of the Revised Code as that division existed 2111
 prior to the amendments to that division by H.B. 64 of the 131st 2112
 general assembly, a regional council of governments operating a 2113~~

public safety answering point or a subdivision may use any 2114
 remaining balance of disbursements it received under that 2115
 division, as it existed prior to the amendments to it by H.B. 64 2116
 of the 131st general assembly, to pay any of its costs of 2117
 providing countywide wireless 9-1-1, including the personnel costs 2118
 of one or more public safety answering points providing that 2119
 service. 2120

(D) The costs described in divisions (A), (B), (C), and (E) 2121
 of this section may include any such costs payable pursuant to an 2122
 agreement under division ~~(J)~~ (I) of section 128.03 of the Revised 2123
 Code. 2124

(E)(1) No disbursement to a countywide 9-1-1 system for costs 2125
 of a public safety answering point shall be made from the ~~wireless~~ 2126
 9-1-1 government assistance fund or the next generation 9-1-1 fund 2127
 unless the public safety answering point meets the standards set 2128
 by rule of the steering committee under section 128.021 of the 2129
 Revised Code. 2130

(2) The steering committee shall monitor compliance with the 2131
 standards and shall notify the tax commissioner to suspend 2132
 disbursements to a countywide 9-1-1 system that fails to meet the 2133
 standards. Upon receipt of this notification, the commissioner 2134
 shall suspend disbursements until the commissioner is notified of 2135
 compliance with the standards. 2136

(F) The auditor of state may audit and review each county's 2137
 expenditures of funds received from the ~~wireless~~ 9-1-1 government 2138
 assistance fund to verify that the funds were used in accordance 2139
 with the requirements of this chapter. All funds generated from 2140
the next generation 9-1-1 access fee imposed under sections 128.41 2141
and 128.42 of the Revised Code may be used only for 9-1-1 related 2142
expenses. 2143

Sec. 128.60. (A)(1) A telephone company, the state highway patrol as described in division ~~(J)~~ (I) of section 128.03 of the Revised Code, and each subdivision or regional council of governments operating one or more public safety answering points for a countywide system providing wireless 9-1-1, shall provide the steering committee and the tax commissioner with such information as the steering committee and tax commissioner request for the purposes of carrying out their duties under this chapter, including, but not limited to, duties regarding the collection of the wireless 9-1-1 charges imposed under section 128.40 of the Revised Code and the next generation 9-1-1 access fee imposed under sections 128.41 and 128.42 of the Revised Code.

(2) A wireless service provider shall provide an official, employee, agent, or representative of a subdivision or regional council of governments operating a public safety answering point, or of the state highway patrol as described in division ~~(J)~~ (I) of section 128.03 of the Revised Code, with such technical, service, and location information as the official, employee, agent, or representative requests for the purpose of providing wireless 9-1-1.

(3) A subdivision or regional council of governments operating one or more public safety answering points of a 9-1-1 system, and a telephone company, shall provide to the steering committee such information as the steering committee requires for the purpose of carrying out its duties under Chapter 128. of the Revised Code.

(B)(1) Any information provided under division (A) of this section that consists of trade secrets as defined in section 1333.61 of the Revised Code or of information regarding the customers, revenues, expenses, or network information of a

telephone company shall be confidential and does not constitute a public record for the purpose of section 149.43 of the Revised Code.

(2) The steering committee, tax commissioner, and any official, employee, agent, or representative of the steering committee, of the tax commissioner, of the state highway patrol as described in division ~~(J)~~ (I) of section 128.03 of the Revised Code, or of a subdivision or regional council of governments operating a public safety answering point, while acting or claiming to act in the capacity of the steering committee or tax commissioner or such official, employee, agent, or representative, shall not disclose any information provided under division (A) of this section regarding a telephone company's customers, revenues, expenses, or network information. Nothing in division (B)(2) of this section precludes any such information from being aggregated and included in any report of the steering committee, tax commissioner, or any official, employee, agent, or representative of the steering committee or tax commissioner, provided the aggregated information does not identify the number of any particular company's customers or the amount of its revenues or expenses or identify a particular company as to any network information.

Sec. 128.63. ~~(A)~~ The tax commissioner may adopt rules in accordance with Chapter 119. of the Revised Code to carry out this chapter, including rules prescribing the necessary accounting for the collection fee under division (B)~~(4)~~ of section 128.46 of the Revised Code.

~~(B) The amounts of the wireless 9-1-1 charges shall be prescribed only by act of the general assembly.~~

Sec. ~~128.32~~ 128.96. (A)(1) The state, the state highway

patrol, a subdivision, or a regional council of governments 2204
 participating in a 9-1-1 system established under this chapter and 2205
 any officer, agent, employee, or independent contractor of the 2206
 state, the state highway patrol, or such a participating 2207
 subdivision or regional council of governments is not liable in 2208
 damages in a civil action for injuries, death, or loss to persons 2209
 or property arising from any act or omission, except willful or 2210
 wanton misconduct, in connection with developing, adopting, or 2211
 approving any final plan ~~or any agreement made under section~~ 2212
~~128.09 of the Revised Code~~ or otherwise bringing into operation 2213
 the 9-1-1 system pursuant to this chapter. 2214

(2) The steering committee and any member of the steering 2215
 committee are not liable in damages in a civil action for 2216
 injuries, death, or loss to persons or property arising from any 2217
 act or omission, except willful or wanton misconduct, in 2218
 connection with the development or operation of a 9-1-1 system 2219
 established under this chapter. 2220

(B) Except as otherwise provided in this section, an 2221
 individual who gives emergency instructions through a 9-1-1 system 2222
 established under this chapter, and the principals for whom the 2223
 person acts, including both employers and independent contractors, 2224
 public and private, and an individual who follows emergency 2225
 instructions and the principals for whom that person acts, 2226
 including both employers and independent contractors, public and 2227
 private, are not liable in damages in a civil action for injuries, 2228
 death, or loss to persons or property arising from the issuance or 2229
 following of emergency instructions, except where the issuance or 2230
 following of the instructions constitutes willful or wanton 2231
 misconduct. 2232

(C) Except for willful or wanton misconduct, a telephone 2233
 company, and any other installer, maintainer, or provider, through 2234

the sale or otherwise, of customer premises equipment, or service
 used for or with a 9-1-1 system, and their respective officers,
 directors, employees, agents, suppliers, corporate parents, and
 affiliates are not liable in damages in a civil action for
 injuries, death, or loss to persons or property incurred by any
 person resulting from any of the following:

(1) Such an entity's or its officers', directors',
 employees', agents', or suppliers' participation in or acts or
 omissions in connection with participating in or developing,
 maintaining, or operating a 9-1-1 system;

(2) Such an entity's or its officers', directors',
 employees', agents', or suppliers' provision of assistance to a
 public utility, municipal utility, or state or local government as
 authorized by divisions ~~(G)(4)~~ (H)(4) and (5) of this section.

(D) Except for willful or wanton misconduct, a provider of
 and a seller of a prepaid wireless calling service and their
 respective officers, directors, employees, agents, and suppliers
 are not liable in damages in a civil action for injuries, death,
 or loss to persons or property incurred by any person resulting
 from anything described in division (C) of this section.

(E) Except for willful or wanton misconduct, a 9-1-1 system
 service provider and the provider's respective officers,
 directors, employees, agents, and suppliers are not liable for any
 damages in a civil action for injuries, death, or loss to persons
 or property incurred by any person resulting from developing,
 adopting, implementing, maintaining, or operating a 9-1-1 system,
 or from complying with emergency-related information requests from
 state or local government officials.

(F) No person shall knowingly use the telephone number of a
 9-1-1 system established under this chapter to report an emergency

if the person knows that no emergency exists. 2265

~~(F)~~ (G) No person shall knowingly use a 9-1-1 system for a 2266
purpose other than obtaining emergency service. 2267

~~(G)~~ (H) No person shall disclose or use any information 2268
concerning telephone numbers, addresses, or names obtained from 2269
the data base that serves the public safety answering point of a 2270
9-1-1 system established under this chapter, except for any of the 2271
following purposes or under any of the following circumstances: 2272

(1) For the purpose of the 9-1-1 system; 2273

(2) For the purpose of responding to an emergency call to an 2274
emergency service provider; 2275

(3) In the circumstance of the inadvertent disclosure of such 2276
information due solely to technology of the wireline telephone 2277
network portion of the 9-1-1 system not allowing access to the 2278
data base to be restricted to 9-1-1 specific answering lines at a 2279
public safety answering point; 2280

(4) In the circumstance of access to a data base being given 2281
by a telephone company that is a wireline service provider to a 2282
public utility or municipal utility in handling customer calls in 2283
times of public emergency or service outages. The charge, terms, 2284
and conditions for the disclosure or use of such information for 2285
the purpose of such access to a data base shall be subject to the 2286
jurisdiction of the steering committee. 2287

(5) In the circumstance of access to a data base given by a 2288
telephone company that is a wireline service provider to a state 2289
and local government in warning of a public emergency, as 2290
determined by the steering committee. The charge, terms, and 2291
conditions for the disclosure or use of that information for the 2292
purpose of access to a data base is subject to the jurisdiction of 2293

the steering committee. 2294

Sec. ~~128.34~~ 128.98. (A) The attorney general, upon request of 2295
the steering committee, or on the attorney general's own 2296
initiative, shall begin proceedings against a telephone company 2297
that is a wireline service provider to enforce compliance with 2298
this chapter or with the terms, conditions, requirements, or 2299
specifications of a final plan ~~or of an agreement under section~~ 2300
~~128.09 of the Revised Code~~ as to wireline or wireless 9-1-1. 2301

(B) The attorney general, upon the attorney general's own 2302
initiative, or any prosecutor, upon the prosecutor's initiative, 2303
shall begin proceedings against a subdivision or a regional 2304
council of governments as to wireline or wireless 9-1-1 to enforce 2305
compliance with this chapter or with the terms, conditions, 2306
requirements, or specifications of a final plan ~~or of an agreement~~ 2307
~~under section 128.09 of the Revised Code~~ as to wireline or 2308
wireless 9-1-1. 2309

Sec. 128.99. (A) Whoever violates division ~~(E)~~ (F) of section 2310
~~128.32~~ 128.96 of the Revised Code is guilty of a misdemeanor of 2311
the fourth degree. 2312

(B) Whoever violates division ~~(F)~~ ~~or~~ (G) or (H) of section 2313
~~128.32~~ 128.96 or division (B)(2) of section 128.60 of the Revised 2314
Code is guilty of a misdemeanor of the fourth degree on a first 2315
offense and a felony of the fifth degree on each subsequent 2316
offense. 2317

(C) If a wireless service provider, reseller, or seller 2318
violates division ~~(B)~~ (A)(1)(a) of section 128.46 of the Revised 2319
Code, and does not comply with any extensions granted under 2320
division ~~(B)~~ ~~(2)~~ (A) (2) of that section, the tax commissioner may 2321
impose a late-filing penalty of not more than the greater of fifty 2322
dollars or five per cent of the amount required to be remitted as 2323

described in division (B)(1)(b) of that section. 2324

(D) If a wireless service provider, reseller, or seller fails 2325
to comply with division ~~(B)~~(A)(1)(b) of section 128.46 of the 2326
Revised Code, the tax commissioner may impose a late-payment 2327
penalty of not more than the greater of fifty dollars or five per 2328
cent of the wireless 9-1-1 charge required to be remitted for the 2329
reporting period minus any partial remittance made on or before 2330
the due date, including any extensions granted under division 2331
~~(B)~~(A)(2) of section 128.46 of the Revised Code. 2332

(E) The tax commissioner may impose an assessment penalty of 2333
not more than the greater of one hundred dollars or thirty-five 2334
per cent of the wireless 9-1-1 charges due after the tax 2335
commissioner notifies the person of an audit, an examination, a 2336
delinquency, assessment, or other notice that additional wireless 2337
9-1-1 charges are due. 2338

(F) If a wireless service provider, reseller, or seller fails 2339
to comply with either electronic requirement of division ~~(B)~~(5) 2340
(C) of section 128.46 of the Revised Code, the tax commissioner 2341
may impose an electronic penalty, for either or both failures to 2342
comply, of not more than the lesser of the following: 2343

(1) The greater of one hundred dollars or ten per cent of the 2344
amount required to be, but not, remitted electronically; 2345

(2) Five thousand dollars. 2346

(G) Each penalty described in divisions (C) to (F) of this 2347
section is in addition to any other penalty described in those 2348
divisions. The tax commissioner may abate all or any portion of 2349
any penalty described in those divisions. 2350

(H) An operator in violation of section 128.24 of the Revised 2351
Code may be assessed a fine of up to five thousand dollars per 2352

offense. 2353

(I)(1) If a business service user fails to comply with section 128.241 of the Revised Code without being exempt under section 128.242 of the Revised Code, the 9-1-1 steering committee shall request the attorney general to bring an action to recover one of the following amounts from the user: 2354

(a) One thousand dollars for an initial failure; 2355

(b) Up to five thousand dollars for each subsequent failure within each continuing six-month period in which the user remains noncompliant. 2356

(2) Any funds recovered under division (I)(1) of this section shall be deposited into the next generation 9-1-1 fund created under section 128.54 of the Revised Code. 2357

(3) Divisions (I)(1) and (2) of this section shall not apply if they are preempted by or in conflict with federal law. 2358

Sec. 149.43. (A) As used in this section: 2359

(1) "Public record" means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for-profit entity operating the alternative school pursuant to section 3313.533 of the Revised Code. "Public record" does not mean any of the following: 2360

(a) Medical records; 2361

(b) Records pertaining to probation and parole proceedings, to proceedings related to the imposition of community control sanctions and post-release control sanctions, or to proceedings related to determinations under section 2967.271 of the Revised 2362

Code regarding the release or maintained incarceration of an	2381
offender to whom that section applies;	2382
(c) Records pertaining to actions under section 2151.85 and	2383
division (C) of section 2919.121 of the Revised Code and to	2384
appeals of actions arising under those sections;	2385
(d) Records pertaining to adoption proceedings, including the	2386
contents of an adoption file maintained by the department of	2387
health under sections 3705.12 to 3705.124 of the Revised Code;	2388
(e) Information in a record contained in the putative father	2389
registry established by section 3107.062 of the Revised Code,	2390
regardless of whether the information is held by the department of	2391
job and family services or, pursuant to section 3111.69 of the	2392
Revised Code, the office of child support in the department or a	2393
child support enforcement agency;	2394
(f) Records specified in division (A) of section 3107.52 of	2395
the Revised Code;	2396
(g) Trial preparation records;	2397
(h) Confidential law enforcement investigatory records;	2398
(i) Records containing information that is confidential under	2399
section 2710.03 or 4112.05 of the Revised Code;	2400
(j) DNA records stored in the DNA database pursuant to	2401
section 109.573 of the Revised Code;	2402
(k) Inmate records released by the department of	2403
rehabilitation and correction to the department of youth services	2404
or a court of record pursuant to division (E) of section 5120.21	2405
of the Revised Code;	2406
(l) Records maintained by the department of youth services	2407
pertaining to children in its custody released by the department	2408

of youth services to the department of rehabilitation and	2409
correction pursuant to section 5139.05 of the Revised Code;	2410
(m) Intellectual property records;	2411
(n) Donor profile records;	2412
(o) Records maintained by the department of job and family	2413
services pursuant to section 3121.894 of the Revised Code;	2414
(p) Designated public service worker residential and familial	2415
information;	2416
(q) In the case of a county hospital operated pursuant to	2417
Chapter 339. of the Revised Code or a municipal hospital operated	2418
pursuant to Chapter 749. of the Revised Code, information that	2419
constitutes a trade secret, as defined in section 1333.61 of the	2420
Revised Code;	2421
(r) Information pertaining to the recreational activities of	2422
a person under the age of eighteen;	2423
(s) In the case of a child fatality review board acting under	2424
sections 307.621 to 307.629 of the Revised Code or a review	2425
conducted pursuant to guidelines established by the director of	2426
health under section 3701.70 of the Revised Code, records provided	2427
to the board or director, statements made by board members during	2428
meetings of the board or by persons participating in the	2429
director's review, and all work products of the board or director,	2430
and in the case of a child fatality review board, child fatality	2431
review data submitted by the board to the department of health or	2432
a national child death review database, other than the report	2433
prepared pursuant to division (A) of section 307.626 of the	2434
Revised Code;	2435
(t) Records provided to and statements made by the executive	2436
director of a public children services agency or a prosecuting	2437

attorney acting pursuant to section 5153.171 of the Revised Code 2438
 other than the information released under that section; 2439

(u) Test materials, examinations, or evaluation tools used in 2440
 an examination for licensure as a nursing home administrator that 2441
 the board of executives of long-term services and supports 2442
 administers under section 4751.15 of the Revised Code or contracts 2443
 under that section with a private or government entity to 2444
 administer; 2445

(v) Records the release of which is prohibited by state or 2446
 federal law; 2447

(w) Proprietary information of or relating to any person that 2448
 is submitted to or compiled by the Ohio venture capital authority 2449
 created under section 150.01 of the Revised Code; 2450

(x) Financial statements and data any person submits for any 2451
 purpose to the Ohio housing finance agency or the controlling 2452
 board in connection with applying for, receiving, or accounting 2453
 for financial assistance from the agency, and information that 2454
 identifies any individual who benefits directly or indirectly from 2455
 financial assistance from the agency; 2456

(y) Records listed in section 5101.29 of the Revised Code; 2457

(z) Discharges recorded with a county recorder under section 2458
 317.24 of the Revised Code, as specified in division (B)(2) of 2459
 that section; 2460

(aa) Usage information including names and addresses of 2461
 specific residential and commercial customers of a municipally 2462
 owned or operated public utility; 2463

(bb) Records described in division (C) of section 187.04 of 2464
 the Revised Code that are not designated to be made available to 2465
 the public as provided in that division; 2466

(cc) Information and records that are made confidential, 2467
 privileged, and not subject to disclosure under divisions (B) and 2468
 (C) of section 2949.221 of the Revised Code; 2469

(dd) Personal information, as defined in section 149.45 of 2470
 the Revised Code; 2471

(ee) The confidential name, address, and other personally 2472
 identifiable information of a program participant in the address 2473
 confidentiality program established under sections 111.41 to 2474
 111.47 of the Revised Code, including the contents of any 2475
 application for absent voter's ballots, absent voter's ballot 2476
 identification envelope statement of voter, or provisional ballot 2477
 affirmation completed by a program participant who has a 2478
 confidential voter registration record; records or portions of 2479
 records pertaining to that program that identify the number of 2480
 program participants that reside within a precinct, ward, 2481
 township, municipal corporation, county, or any other geographic 2482
 area smaller than the state; and any real property confidentiality 2483
 notice filed under section 111.431 of the Revised Code and the 2484
 information described in division (C) of that section. As used in 2485
 this division, "confidential address" and "program participant" 2486
 have the meaning defined in section 111.41 of the Revised Code. 2487

(ff) Orders for active military service of an individual 2488
 serving or with previous service in the armed forces of the United 2489
 States, including a reserve component, or the Ohio organized 2490
 militia, except that, such order becomes a public record on the 2491
 day that is fifteen years after the published date or effective 2492
 date of the call to order; 2493

(gg) The name, address, contact information, or other 2494
 personal information of an individual who is less than eighteen 2495
 years of age that is included in any record related to a traffic 2496

accident involving a school vehicle in which the individual was an occupant at the time of the accident; 2497
2498

(hh) Protected health information, as defined in 45 C.F.R. 160.103, that is in a claim for payment for a health care product, service, or procedure, as well as any other health claims data in another document that reveals the identity of an individual who is the subject of the data or could be used to reveal that individual's identity; 2499
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(ii) Any depiction by photograph, film, videotape, or printed or digital image under either of the following circumstances: 2505
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(i) The depiction is that of a victim of an offense the release of which would be, to a reasonable person of ordinary sensibilities, an offensive and objectionable intrusion into the victim's expectation of bodily privacy and integrity. 2507
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(ii) The depiction captures or depicts the victim of a sexually oriented offense, as defined in section 2950.01 of the Revised Code, at the actual occurrence of that offense. 2511
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(jj) Restricted portions of a body-worn camera or dashboard camera recording; 2514
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(kk) In the case of a fetal-infant mortality review board acting under sections 3707.70 to 3707.77 of the Revised Code, records, documents, reports, or other information presented to the board or a person abstracting such materials on the board's behalf, statements made by review board members during board meetings, all work products of the board, and data submitted by the board to the department of health or a national infant death review database, other than the report prepared pursuant to section 3707.77 of the Revised Code. 2516
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(ll) Records, documents, reports, or other information 2525

presented to the pregnancy-associated mortality review board 2526
 established under section 3738.01 of the Revised Code, statements 2527
 made by board members during board meetings, all work products of 2528
 the board, and data submitted by the board to the department of 2529
 health, other than the biennial reports prepared under section 2530
 3738.08 of the Revised Code; 2531

(mm) Except as otherwise provided in division (A)(1)(oo) of 2532
 this section, telephone numbers for a victim, as defined in 2533
 section 2930.01 of the Revised Code or a witness to a crime that 2534
 are listed on any law enforcement record or report. 2535

(nn) A preneed funeral contract, as defined in section 2536
 4717.01 of the Revised Code, and contract terms and personally 2537
 identifying information of a preneed funeral contract, that is 2538
 contained in a report submitted by or for a funeral home to the 2539
 board of embalmers and funeral directors under division (C) of 2540
 section 4717.13, division (J) of section 4717.31, or section 2541
 4717.41 of the Revised Code. 2542

(oo) Telephone numbers for a party to a motor vehicle 2543
 accident subject to the requirements of section 5502.11 of the 2544
 Revised Code that are listed on any law enforcement record or 2545
 report, except that the telephone numbers described in this 2546
 division are not excluded from the definition of "public record" 2547
 under this division on and after the thirtieth day after the 2548
 occurrence of the motor vehicle accident. 2549

(pp) Records pertaining to individuals who complete training 2550
 under section 5502.703 of the Revised Code to be permitted by a 2551
 school district board of education or governing body of a 2552
 community school established under Chapter 3314. of the Revised 2553
 Code, a STEM school established under Chapter 3326. of the Revised 2554
 Code, or a chartered nonpublic school to convey deadly weapons or 2555

dangerous ordnance into a school safety zone; 2556

(qq) Records, documents, reports, or other information 2557
 presented to a domestic violence fatality review board established 2558
 under section 307.651 of the Revised Code, statements made by 2559
 board members during board meetings, all work products of the 2560
 board, and data submitted by the board to the department of 2561
 health, other than a report prepared pursuant to section 307.656 2562
 of the Revised Code; 2563

(rr) Records, documents, and information the release of which 2564
 is prohibited under sections 2930.04 and 2930.07 of the Revised 2565
 Code; 2566

(ss) Records of an existing qualified nonprofit corporation 2567
 that creates a special improvement district under Chapter 1710. of 2568
 the Revised Code that do not pertain to a purpose for which the 2569
 district is created. 2570

A record that is not a public record under division (A)(1) of 2571
 this section and that, under law, is permanently retained becomes 2572
 a public record on the day that is seventy-five years after the 2573
 day on which the record was created, except for any record 2574
 protected by the attorney-client privilege, a trial preparation 2575
 record as defined in this section, a statement prohibiting the 2576
 release of identifying information signed under section 3107.083 2577
 of the Revised Code, a denial of release form filed pursuant to 2578
 section 3107.46 of the Revised Code, or any record that is exempt 2579
 from release or disclosure under section 149.433 of the Revised 2580
 Code. If the record is a birth certificate and a biological 2581
 parent's name redaction request form has been accepted under 2582
 section 3107.391 of the Revised Code, the name of that parent 2583
 shall be redacted from the birth certificate before it is released 2584
 under this paragraph. If any other section of the Revised Code 2585

establishes a time period for disclosure of a record that 2586
 conflicts with the time period specified in this section, the time 2587
 period in the other section prevails. 2588

(2) "Confidential law enforcement investigatory record" means 2589
 any record that pertains to a law enforcement matter of a 2590
 criminal, quasi-criminal, civil, or administrative nature, but 2591
 only to the extent that the release of the record would create a 2592
 high probability of disclosure of any of the following: 2593

(a) The identity of a suspect who has not been charged with 2594
 the offense to which the record pertains, or of an information 2595
 source or witness to whom confidentiality has been reasonably 2596
 promised; 2597

(b) Information provided by an information source or witness 2598
 to whom confidentiality has been reasonably promised, which 2599
 information would reasonably tend to disclose the source's or 2600
 witness's identity; 2601

(c) Specific confidential investigatory techniques or 2602
 procedures or specific investigatory work product; 2603

(d) Information that would endanger the life or physical 2604
 safety of law enforcement personnel, a crime victim, a witness, or 2605
 a confidential information source. 2606

(3) "Medical record" means any document or combination of 2607
 documents, except births, deaths, and the fact of admission to or 2608
 discharge from a hospital, that pertains to the medical history, 2609
 diagnosis, prognosis, or medical condition of a patient and that 2610
 is generated and maintained in the process of medical treatment. 2611

(4) "Trial preparation record" means any record that contains 2612
 information that is specifically compiled in reasonable 2613
 anticipation of, or in defense of, a civil or criminal action or 2614

proceeding, including the independent thought processes and 2615
 personal trial preparation of an attorney. 2616

(5) "Intellectual property record" means a record, other than 2617
 a financial or administrative record, that is produced or 2618
 collected by or for faculty or staff of a state institution of 2619
 higher learning in the conduct of or as a result of study or 2620
 research on an educational, commercial, scientific, artistic, 2621
 technical, or scholarly issue, regardless of whether the study or 2622
 research was sponsored by the institution alone or in conjunction 2623
 with a governmental body or private concern, and that has not been 2624
 publicly released, published, or patented. 2625

(6) "Donor profile record" means all records about donors or 2626
 potential donors to a public institution of higher education 2627
 except the names and reported addresses of the actual donors and 2628
 the date, amount, and conditions of the actual donation. 2629

(7) "Designated public service worker" means a peace officer, 2630
 parole officer, probation officer, bailiff, prosecuting attorney, 2631
 assistant prosecuting attorney, correctional employee, county or 2632
 multicounty corrections officer, community-based correctional 2633
 facility employee, designated Ohio national guard member, 2634
 protective services worker, youth services employee, firefighter, 2635
 EMT, medical director or member of a cooperating physician 2636
 advisory board of an emergency medical service organization, state 2637
 board of pharmacy employee, investigator of the bureau of criminal 2638
 identification and investigation, emergency service 2639
 telecommunicator, forensic mental health provider, mental health 2640
 evaluation provider, regional psychiatric hospital employee, 2641
 judge, magistrate, or federal law enforcement officer. 2642

(8) "Designated public service worker residential and 2643
 familial information" means any information that discloses any of 2644

the following about a designated public service worker: 2645

(a) The address of the actual personal residence of a 2646
designated public service worker, except for the following 2647
information: 2648

(i) The address of the actual personal residence of a 2649
prosecuting attorney or judge; and 2650

(ii) The state or political subdivision in which a designated 2651
public service worker resides. 2652

(b) Information compiled from referral to or participation in 2653
an employee assistance program; 2654

(c) The social security number, the residential telephone 2655
number, any bank account, debit card, charge card, or credit card 2656
number, or the emergency telephone number of, or any medical 2657
information pertaining to, a designated public service worker; 2658

(d) The name of any beneficiary of employment benefits, 2659
including, but not limited to, life insurance benefits, provided 2660
to a designated public service worker by the designated public 2661
service worker's employer; 2662

(e) The identity and amount of any charitable or employment 2663
benefit deduction made by the designated public service worker's 2664
employer from the designated public service worker's compensation, 2665
unless the amount of the deduction is required by state or federal 2666
law; 2667

(f) The name, the residential address, the name of the 2668
employer, the address of the employer, the social security number, 2669
the residential telephone number, any bank account, debit card, 2670
charge card, or credit card number, or the emergency telephone 2671
number of the spouse, a former spouse, or any child of a 2672
designated public service worker; 2673

(g) A photograph of a peace officer who holds a position or 2674
 has an assignment that may include undercover or plain clothes 2675
 positions or assignments as determined by the peace officer's 2676
 appointing authority. 2677

(9) As used in divisions (A)(7) and (15) to (17) of this 2678
 section: 2679

"Peace officer" has the meaning defined in section 109.71 of 2680
 the Revised Code and also includes the superintendent and troopers 2681
 of the state highway patrol; it does not include the sheriff of a 2682
 county or a supervisory employee who, in the absence of the 2683
 sheriff, is authorized to stand in for, exercise the authority of, 2684
 and perform the duties of the sheriff. 2685

"Correctional employee" means any employee of the department 2686
 of rehabilitation and correction who in the course of performing 2687
 the employee's job duties has or has had contact with inmates and 2688
 persons under supervision. 2689

"County or multicounty corrections officer" means any 2690
 corrections officer employed by any county or multicounty 2691
 correctional facility. 2692

"Designated Ohio national guard member" means a member of the 2693
 Ohio national guard who is participating in duties related to 2694
 remotely piloted aircraft, including, but not limited to, pilots, 2695
 sensor operators, and mission intelligence personnel, duties 2696
 related to special forces operations, or duties related to 2697
 cybersecurity, and is designated by the adjutant general as a 2698
 designated public service worker for those purposes. 2699

"Protective services worker" means any employee of a county 2700
 agency who is responsible for child protective services, child 2701
 support services, or adult protective services. 2702

"Youth services employee" means any employee of the department of youth services who in the course of performing the employee's job duties has or has had contact with children committed to the custody of the department of youth services.

"Firefighter" means any regular, paid or volunteer, member of a lawfully constituted fire department of a municipal corporation, township, fire district, or village.

"EMT" means EMTs-basic, EMTs-I, and paramedics that provide emergency medical services for a public emergency medical service organization. "Emergency medical service organization," "EMT-basic," "EMT-I," and "paramedic" have the meanings defined in section 4765.01 of the Revised Code.

"Investigator of the bureau of criminal identification and investigation" has the meaning defined in section 2903.11 of the Revised Code.

~~"Emergency service telecommunicator" has the meaning defined in section 4742.01 of the Revised Code~~means an individual employed by an emergency service provider as defined under section 128.01 of the Revised Code, whose primary responsibility is to be an operator for the receipt or processing of calls for emergency services made by telephone, radio, or other electronic means.

"Forensic mental health provider" means any employee of a community mental health service provider or local alcohol, drug addiction, and mental health services board who, in the course of the employee's duties, has contact with persons committed to a local alcohol, drug addiction, and mental health services board by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.

"Mental health evaluation provider" means an individual who,

under Chapter 5122. of the Revised Code, examines a respondent who
 is alleged to be a mentally ill person subject to court order, as
 defined in section 5122.01 of the Revised Code, and reports to the
 probate court the respondent's mental condition.

"Regional psychiatric hospital employee" means any employee
 of the department of mental health and addiction services who, in
 the course of performing the employee's duties, has contact with
 patients committed to the department of mental health and
 addiction services by a court order pursuant to section 2945.38,
 2945.39, 2945.40, or 2945.402 of the Revised Code.

"Federal law enforcement officer" has the meaning defined in
 section 9.88 of the Revised Code.

(10) "Information pertaining to the recreational activities
 of a person under the age of eighteen" means information that is
 kept in the ordinary course of business by a public office, that
 pertains to the recreational activities of a person under the age
 of eighteen years, and that discloses any of the following:

(a) The address or telephone number of a person under the age
 of eighteen or the address or telephone number of that person's
 parent, guardian, custodian, or emergency contact person;

(b) The social security number, birth date, or photographic
 image of a person under the age of eighteen;

(c) Any medical record, history, or information pertaining to
 a person under the age of eighteen;

(d) Any additional information sought or required about a
 person under the age of eighteen for the purpose of allowing that
 person to participate in any recreational activity conducted or
 sponsored by a public office or to use or obtain admission
 privileges to any recreational facility owned or operated by a

public office. 2761

(11) "Community control sanction" has the meaning defined in 2762
 section 2929.01 of the Revised Code. 2763

(12) "Post-release control sanction" has the meaning defined 2764
 in section 2967.01 of the Revised Code. 2765

(13) "Redaction" means obscuring or deleting any information 2766
 that is exempt from the duty to permit public inspection or 2767
 copying from an item that otherwise meets the definition of a 2768
 "record" in section 149.011 of the Revised Code. 2769

(14) "Designee," "elected official," and "future official" 2770
 have the meanings defined in section 109.43 of the Revised Code. 2771

(15) "Body-worn camera" means a visual and audio recording 2772
 device worn on the person of a correctional employee, youth 2773
 services employee, or peace officer while the correctional 2774
 employee, youth services employee, or peace officer is engaged in 2775
 the performance of official duties. 2776

(16) "Dashboard camera" means a visual and audio recording 2777
 device mounted on a peace officer's vehicle or vessel that is used 2778
 while the peace officer is engaged in the performance of the peace 2779
 officer's duties. 2780

(17) "Restricted portions of a body-worn camera or dashboard 2781
 camera recording" means any visual or audio portion of a body-worn 2782
 camera or dashboard camera recording that shows, communicates, or 2783
 discloses any of the following: 2784

(a) The image or identity of a child or information that 2785
 could lead to the identification of a child who is a primary 2786
 subject of the recording when the department of rehabilitation and 2787
 correction, department of youth services, or the law enforcement 2788
 agency knows or has reason to know the person is a child based on 2789

the department's or law enforcement agency's records or the	2790
content of the recording;	2791
(b) The death of a person or a deceased person's body, unless	2792
the death was caused by a correctional employee, youth services	2793
employee, or peace officer or, subject to division (H)(1) of this	2794
section, the consent of the decedent's executor or administrator	2795
has been obtained;	2796
(c) The death of a correctional employee, youth services	2797
employee, peace officer, firefighter, paramedic, or other first	2798
responder, occurring while the decedent was engaged in the	2799
performance of official duties, unless, subject to division (H)(1)	2800
of this section, the consent of the decedent's executor or	2801
administrator has been obtained;	2802
(d) Grievous bodily harm, unless the injury was effected by a	2803
correctional employee, youth services employee, or peace officer	2804
or, subject to division (H)(1) of this section, the consent of the	2805
injured person or the injured person's guardian has been obtained;	2806
(e) An act of severe violence against a person that results	2807
in serious physical harm to the person, unless the act and injury	2808
was effected by a correctional employee, youth services employee,	2809
or peace officer or, subject to division (H)(1) of this section,	2810
the consent of the injured person or the injured person's guardian	2811
has been obtained;	2812
(f) Grievous bodily harm to a correctional employee, youth	2813
services employee, peace officer, firefighter, paramedic, or other	2814
first responder, occurring while the injured person was engaged in	2815
the performance of official duties, unless, subject to division	2816
(H)(1) of this section, the consent of the injured person or the	2817
injured person's guardian has been obtained;	2818

(g) An act of severe violence resulting in serious physical harm against a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(h) A person's nude body, unless, subject to division (H)(1) of this section, the person's consent has been obtained;

(i) Protected health information, the identity of a person in a health care facility who is not the subject of a law enforcement encounter, or any other information in a health care facility that could identify a person who is not the subject of a law enforcement encounter;

(j) Information that could identify the alleged victim of a sex offense, menacing by stalking, or domestic violence;

(k) Information, that does not constitute a confidential law enforcement investigatory record, that could identify a person who provides sensitive or confidential information to the department of rehabilitation and correction, the department of youth services, or a law enforcement agency when the disclosure of the person's identity or the information provided could reasonably be expected to threaten or endanger the safety or property of the person or another person;

(l) Personal information of a person who is not arrested, cited, charged, or issued a written warning by a peace officer;

(m) Proprietary police contingency plans or tactics that are intended to prevent crime and maintain public order and safety;

(n) A personal conversation unrelated to work between peace

officers or between a peace officer and an employee of a law enforcement agency;	2848 2849
(o) A conversation between a peace officer and a member of the public that does not concern law enforcement activities;	2850 2851
(p) The interior of a residence, unless the interior of a residence is the location of an adversarial encounter with, or a use of force by, a peace officer;	2852 2853 2854
(q) Any portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a peace officer occurs in that location.	2855 2856 2857
As used in division (A)(17) of this section:	2858
"Grievous bodily harm" has the same meaning as in section 5924.120 of the Revised Code.	2859 2860
"Health care facility" has the same meaning as in section 1337.11 of the Revised Code.	2861 2862
"Protected health information" has the same meaning as in 45 C.F.R. 160.103.	2863 2864
"Law enforcement agency" means a government entity that employs peace officers to perform law enforcement duties.	2865 2866
"Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases.	2867 2868 2869 2870
"Sex offense" has the same meaning as in section 2907.10 of the Revised Code.	2871 2872
"Firefighter," "paramedic," and "first responder" have the same meanings as in section 4765.01 of the Revised Code.	2873 2874

(B)(1) Upon request by any person and subject to division 2875
 (B)(8) of this section, all public records responsive to the 2876
 request shall be promptly prepared and made available for 2877
 inspection to the requester at all reasonable times during regular 2878
 business hours. Subject to division (B)(8) of this section, upon 2879
 request by any person, a public office or person responsible for 2880
 public records shall make copies of the requested public record 2881
 available to the requester at cost and within a reasonable period 2882
 of time. If a public record contains information that is exempt 2883
 from the duty to permit public inspection or to copy the public 2884
 record, the public office or the person responsible for the public 2885
 record shall make available all of the information within the 2886
 public record that is not exempt. When making that public record 2887
 available for public inspection or copying that public record, the 2888
 public office or the person responsible for the public record 2889
 shall notify the requester of any redaction or make the redaction 2890
 plainly visible. A redaction shall be deemed a denial of a request 2891
 to inspect or copy the redacted information, except if federal or 2892
 state law authorizes or requires a public office to make the 2893
 redaction. 2894

(2) To facilitate broader access to public records, a public 2895
 office or the person responsible for public records shall organize 2896
 and maintain public records in a manner that they can be made 2897
 available for inspection or copying in accordance with division 2898
 (B) of this section. A public office also shall have available a 2899
 copy of its current records retention schedule at a location 2900
 readily available to the public. If a requester makes an ambiguous 2901
 or overly broad request or has difficulty in making a request for 2902
 copies or inspection of public records under this section such 2903
 that the public office or the person responsible for the requested 2904
 public record cannot reasonably identify what public records are 2905

being requested, the public office or the person responsible for 2906
the requested public record may deny the request but shall provide 2907
the requester with an opportunity to revise the request by 2908
informing the requester of the manner in which records are 2909
maintained by the public office and accessed in the ordinary 2910
course of the public office's or person's duties. 2911

(3) If a request is ultimately denied, in part or in whole, 2912
the public office or the person responsible for the requested 2913
public record shall provide the requester with an explanation, 2914
including legal authority, setting forth why the request was 2915
denied. If the initial request was provided in writing, the 2916
explanation also shall be provided to the requester in writing. 2917
The explanation shall not preclude the public office or the person 2918
responsible for the requested public record from relying upon 2919
additional reasons or legal authority in defending an action 2920
commenced under division (C) of this section. 2921

(4) Unless specifically required or authorized by state or 2922
federal law or in accordance with division (B) of this section, no 2923
public office or person responsible for public records may limit 2924
or condition the availability of public records by requiring 2925
disclosure of the requester's identity or the intended use of the 2926
requested public record. Any requirement that the requester 2927
disclose the requester's identity or the intended use of the 2928
requested public record constitutes a denial of the request. 2929

(5) A public office or person responsible for public records 2930
may ask a requester to make the request in writing, may ask for 2931
the requester's identity, and may inquire about the intended use 2932
of the information requested, but may do so only after disclosing 2933
to the requester that a written request is not mandatory, that the 2934
requester may decline to reveal the requester's identity or the 2935

intended use, and when a written request or disclosure of the
 identity or intended use would benefit the requester by enhancing
 the ability of the public office or person responsible for public
 records to identify, locate, or deliver the public records sought
 by the requester.

(6) If any person requests a copy of a public record in
 accordance with division (B) of this section, the public office or
 person responsible for the public record may require the requester
 to pay in advance the cost involved in providing the copy of the
 public record in accordance with the choice made by the requester
 under this division. The public office or the person responsible
 for the public record shall permit the requester to choose to have
 the public record duplicated upon paper, upon the same medium upon
 which the public office or person responsible for the public
 record keeps it, or upon any other medium upon which the public
 office or person responsible for the public record determines that
 it reasonably can be duplicated as an integral part of the normal
 operations of the public office or person responsible for the
 public record. When the requester makes a choice under this
 division, the public office or person responsible for the public
 record shall provide a copy of it in accordance with the choice
 made by the requester. Nothing in this section requires a public
 office or person responsible for the public record to allow the
 requester of a copy of the public record to make the copies of the
 public record.

(7)(a) Upon a request made in accordance with division (B) of
 this section and subject to division (B)(6) of this section, a
 public office or person responsible for public records shall
 transmit a copy of a public record to any person by United States
 mail or by any other means of delivery or transmission within a
 reasonable period of time after receiving the request for the

copy. The public office or person responsible for the public record may require the person making the request to pay in advance the cost of postage if the copy is transmitted by United States mail or the cost of delivery if the copy is transmitted other than by United States mail, and to pay in advance the costs incurred for other supplies used in the mailing, delivery, or transmission.

(b) Any public office may adopt a policy and procedures that it will follow in transmitting, within a reasonable period of time after receiving a request, copies of public records by United States mail or by any other means of delivery or transmission pursuant to division (B)(7) of this section. A public office that adopts a policy and procedures under division (B)(7) of this section shall comply with them in performing its duties under that division.

(c) In any policy and procedures adopted under division (B)(7) of this section:

(i) A public office may limit the number of records requested by a person that the office will physically deliver by United States mail or by another delivery service to ten per month, unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes;

(ii) A public office that chooses to provide some or all of its public records on a web site that is fully accessible to and searchable by members of the public at all times, other than during acts of God outside the public office's control or maintenance, and that charges no fee to search, access, download, or otherwise receive records provided on the web site, may limit to ten per month the number of records requested by a person that the office will deliver in a digital format, unless the requested

records are not provided on the web site and unless the person 2997
 certifies to the office in writing that the person does not intend 2998
 to use or forward the requested records, or the information 2999
 contained in them, for commercial purposes. 3000

(iii) For purposes of division (B)(7) of this section, 3001
 "commercial" shall be narrowly construed and does not include 3002
 reporting or gathering news, reporting or gathering information to 3003
 assist citizen oversight or understanding of the operation or 3004
 activities of government, or nonprofit educational research. 3005

(8) A public office or person responsible for public records 3006
 is not required to permit a person who is incarcerated pursuant to 3007
 a criminal conviction or a juvenile adjudication to inspect or to 3008
 obtain a copy of any public record concerning a criminal 3009
 investigation or prosecution or concerning what would be a 3010
 criminal investigation or prosecution if the subject of the 3011
 investigation or prosecution were an adult, unless the request to 3012
 inspect or to obtain a copy of the record is for the purpose of 3013
 acquiring information that is subject to release as a public 3014
 record under this section and the judge who imposed the sentence 3015
 or made the adjudication with respect to the person, or the 3016
 judge's successor in office, finds that the information sought in 3017
 the public record is necessary to support what appears to be a 3018
 justiciable claim of the person. 3019

(9)(a) Upon written request made and signed by a journalist, 3020
 a public office, or person responsible for public records, having 3021
 custody of the records of the agency employing a specified 3022
 designated public service worker shall disclose to the journalist 3023
 the address of the actual personal residence of the designated 3024
 public service worker and, if the designated public service 3025
 worker's spouse, former spouse, or child is employed by a public 3026

office, the name and address of the employer of the designated
 public service worker's spouse, former spouse, or child. The
 request shall include the journalist's name and title and the name
 and address of the journalist's employer and shall state that
 disclosure of the information sought would be in the public
 interest.

(b) Division (B)(9)(a) of this section also applies to
 journalist requests for:

(i) Customer information maintained by a municipally owned or
 operated public utility, other than social security numbers and
 any private financial information such as credit reports, payment
 methods, credit card numbers, and bank account information;

(ii) Information about minors involved in a school vehicle
 accident as provided in division (A)(1)(gg) of this section, other
 than personal information as defined in section 149.45 of the
 Revised Code.

(c) As used in division (B)(9) of this section, "journalist"
 means a person engaged in, connected with, or employed by any news
 medium, including a newspaper, magazine, press association, news
 agency, or wire service, a radio or television station, or a
 similar medium, for the purpose of gathering, processing,
 transmitting, compiling, editing, or disseminating information for
 the general public.

(10) Upon a request made by a victim, victim's attorney, or
 victim's representative, as that term is used in section 2930.02
 of the Revised Code, a public office or person responsible for
 public records shall transmit a copy of a depiction of the victim
 as described in division (A)(1)(ii) of this section to the victim,
 victim's attorney, or victim's representative.

(C)(1) If a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may do only one of the following, and not both:

(a) File a complaint with the clerk of the court of claims or the clerk of the court of common pleas under section 2743.75 of the Revised Code;

(b) Commence a mandamus action to obtain a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section, that awards court costs and reasonable attorney's fees to the person that instituted the mandamus action, and, if applicable, that includes an order fixing statutory damages under division (C)(2) of this section. The mandamus action may be commenced in the court of common pleas of the county in which division (B) of this section allegedly was not complied with, in the supreme court pursuant to its original jurisdiction under Section 2 of Article IV, Ohio Constitution, or in the court of appeals for the appellate district in which division (B) of this section allegedly was not complied with pursuant to its original jurisdiction under Section 3 of Article IV, Ohio Constitution.

(2) If a requester transmits a written request by hand delivery, electronic submission, or certified mail to inspect or receive copies of any public record in a manner that fairly describes the public record or class of public records to the public office or person responsible for the requested public

records, except as otherwise provided in this section, the 3086
 requester shall be entitled to recover the amount of statutory 3087
 damages set forth in this division if a court determines that the 3088
 public office or the person responsible for public records failed 3089
 to comply with an obligation in accordance with division (B) of 3090
 this section. 3091

The amount of statutory damages shall be fixed at one hundred 3092
 dollars for each business day during which the public office or 3093
 person responsible for the requested public records failed to 3094
 comply with an obligation in accordance with division (B) of this 3095
 section, beginning with the day on which the requester files a 3096
 mandamus action to recover statutory damages, up to a maximum of 3097
 one thousand dollars. The award of statutory damages shall not be 3098
 construed as a penalty, but as compensation for injury arising 3099
 from lost use of the requested information. The existence of this 3100
 injury shall be conclusively presumed. The award of statutory 3101
 damages shall be in addition to all other remedies authorized by 3102
 this section. 3103

The court may reduce an award of statutory damages or not 3104
 award statutory damages if the court determines both of the 3105
 following: 3106

(a) That, based on the ordinary application of statutory law 3107
 and case law as it existed at the time of the conduct or 3108
 threatened conduct of the public office or person responsible for 3109
 the requested public records that allegedly constitutes a failure 3110
 to comply with an obligation in accordance with division (B) of 3111
 this section and that was the basis of the mandamus action, a 3112
 well-informed public office or person responsible for the 3113
 requested public records reasonably would believe that the conduct 3114
 or threatened conduct of the public office or person responsible 3115

for the requested public records did not constitute a failure to 3116
 comply with an obligation in accordance with division (B) of this 3117
 section; 3118

(b) That a well-informed public office or person responsible 3119
 for the requested public records reasonably would believe that the 3120
 conduct or threatened conduct of the public office or person 3121
 responsible for the requested public records would serve the 3122
 public policy that underlies the authority that is asserted as 3123
 permitting that conduct or threatened conduct. 3124

(3) In a mandamus action filed under division (C)(1) of this 3125
 section, the following apply: 3126

(a)(i) If the court orders the public office or the person 3127
 responsible for the public record to comply with division (B) of 3128
 this section, the court shall determine and award to the relator 3129
 all court costs, which shall be construed as remedial and not 3130
 punitive. 3131

(ii) If the court makes a determination described in division 3132
 (C)(3)(b)(iii) of this section, the court shall determine and 3133
 award to the relator all court costs, which shall be construed as 3134
 remedial and not punitive. 3135

(b) If the court renders a judgment that orders the public 3136
 office or the person responsible for the public record to comply 3137
 with division (B) of this section or if the court determines any 3138
 of the following, the court may award reasonable attorney's fees 3139
 to the relator, subject to division (C)(4) of this section: 3140

(i) The public office or the person responsible for the 3141
 public records failed to respond affirmatively or negatively to 3142
 the public records request in accordance with the time allowed 3143
 under division (B) of this section. 3144

(ii) The public office or the person responsible for the public records promised to permit the relator to inspect or receive copies of the public records requested within a specified period of time but failed to fulfill that promise within that specified period of time.

(iii) The public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator commenced the mandamus action, but before the court issued any order concluding whether or not the public office or person was required to comply with division (B) of this section. No discovery may be conducted on the issue of the alleged bad faith of the public office or person responsible for the public records. This division shall not be construed as creating a presumption that the public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator commenced the mandamus action, but before the court issued any order described in this division.

(c) The court shall not award attorney's fees to the relator if the court determines both of the following:

(i) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct

or threatened conduct of the public office or person responsible 3175
 for the requested public records did not constitute a failure to 3176
 comply with an obligation in accordance with division (B) of this 3177
 section; 3178

(ii) That a well-informed public office or person responsible 3179
 for the requested public records reasonably would believe that the 3180
 conduct or threatened conduct of the public office or person 3181
 responsible for the requested public records would serve the 3182
 public policy that underlies the authority that is asserted as 3183
 permitting that conduct or threatened conduct. 3184

(4) All of the following apply to any award of reasonable 3185
 attorney's fees awarded under division (C)(3)(b) of this section: 3186

(a) The fees shall be construed as remedial and not punitive. 3187

(b) The fees awarded shall not exceed the total of the 3188
 reasonable attorney's fees incurred before the public record was 3189
 made available to the relator and the fees described in division 3190
 (C)(4)(c) of this section. 3191

(c) Reasonable attorney's fees shall include reasonable fees 3192
 incurred to produce proof of the reasonableness and amount of the 3193
 fees and to otherwise litigate entitlement to the fees. 3194

(d) The court may reduce the amount of fees awarded if the 3195
 court determines that, given the factual circumstances involved 3196
 with the specific public records request, an alternative means 3197
 should have been pursued to more effectively and efficiently 3198
 resolve the dispute that was subject to the mandamus action filed 3199
 under division (C)(1) of this section. 3200

(5) If the court does not issue a writ of mandamus under 3201
 division (C) of this section and the court determines at that time 3202
 that the bringing of the mandamus action was frivolous conduct as 3203

defined in division (A) of section 2323.51 of the Revised Code, 3204
the court may award to the public office all court costs, 3205
expenses, and reasonable attorney's fees, as determined by the 3206
court. 3207

(D) Chapter 1347. of the Revised Code does not limit the 3208
provisions of this section. 3209

(E)(1) To ensure that all employees of public offices are 3210
appropriately educated about a public office's obligations under 3211
division (B) of this section, all elected officials or their 3212
appropriate designees shall attend training approved by the 3213
attorney general as provided in section 109.43 of the Revised 3214
Code. A future official may satisfy the requirements of this 3215
division by attending the training before taking office, provided 3216
that the future official may not send a designee in the future 3217
official's place. 3218

(2) All public offices shall adopt a public records policy in 3219
compliance with this section for responding to public records 3220
requests. In adopting a public records policy under this division, 3221
a public office may obtain guidance from the model public records 3222
policy developed and provided to the public office by the attorney 3223
general under section 109.43 of the Revised Code. Except as 3224
otherwise provided in this section, the policy may not limit the 3225
number of public records that the public office will make 3226
available to a single person, may not limit the number of public 3227
records that it will make available during a fixed period of time, 3228
and may not establish a fixed period of time before it will 3229
respond to a request for inspection or copying of public records, 3230
unless that period is less than eight hours. 3231

The public office shall distribute the public records policy 3232
adopted by the public office under this division to the employee 3233

of the public office who is the records custodian or records manager or otherwise has custody of the records of that office. The public office shall require that employee to acknowledge receipt of the copy of the public records policy. The public office shall create a poster that describes its public records policy and shall post the poster in a conspicuous place in the public office and in all locations where the public office has branch offices. The public office may post its public records policy on the internet web site of the public office if the public office maintains an internet web site. A public office that has established a manual or handbook of its general policies and procedures for all employees of the public offices shall include the public records policy of the public office in the manual or handbook.

(F)(1) The bureau of motor vehicles may adopt rules pursuant to Chapter 119. of the Revised Code to reasonably limit the number of bulk commercial special extraction requests made by a person for the same records or for updated records during a calendar year. The rules may include provisions for charges to be made for bulk commercial special extraction requests for the actual cost of the bureau, plus special extraction costs, plus ten per cent. The bureau may charge for expenses for redacting information, the release of which is prohibited by law.

(2) As used in division (F)(1) of this section:

(a) "Actual cost" means the cost of depleted supplies, records storage media costs, actual mailing and alternative delivery costs, or other transmitting costs, and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services.

(b) "Bulk commercial special extraction request" means a

request for copies of a record for information in a format other than the format already available, or information that cannot be extracted without examination of all items in a records series, class of records, or database by a person who intends to use or forward the copies for surveys, marketing, solicitation, or resale for commercial purposes. "Bulk commercial special extraction request" does not include a request by a person who gives assurance to the bureau that the person making the request does not intend to use or forward the requested copies for surveys, marketing, solicitation, or resale for commercial purposes. 3264-3273

(c) "Commercial" means profit-seeking production, buying, or selling of any good, service, or other product. 3274-3275

(d) "Special extraction costs" means the cost of the time spent by the lowest paid employee competent to perform the task, the actual amount paid to outside private contractors employed by the bureau, or the actual cost incurred to create computer programs to make the special extraction. "Special extraction costs" include any charges paid to a public agency for computer or records services. 3276-3282

(3) For purposes of divisions (F)(1) and (2) of this section, "surveys, marketing, solicitation, or resale for commercial purposes" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research. 3283-3288

(G) A request by a defendant, counsel of a defendant, or any agent of a defendant in a criminal action that public records related to that action be made available under this section shall be considered a demand for discovery pursuant to the Criminal Rules, except to the extent that the Criminal Rules plainly 3289-3293

indicate a contrary intent. The defendant, counsel of the
 defendant, or agent of the defendant making a request under this
 division shall serve a copy of the request on the prosecuting
 attorney, director of law, or other chief legal officer
 responsible for prosecuting the action.

(H)(1) Any portion of a body-worn camera or dashboard camera
 recording described in divisions (A)(17)(b) to (h) of this section
 may be released by consent of the subject of the recording or a
 representative of that person, as specified in those divisions,
 only if either of the following applies:

(a) The recording will not be used in connection with any
 probable or pending criminal proceedings;

(b) The recording has been used in connection with a criminal
 proceeding that was dismissed or for which a judgment has been
 entered pursuant to Rule 32 of the Rules of Criminal Procedure,
 and will not be used again in connection with any probable or
 pending criminal proceedings.

(2) If a public office denies a request to release a
 restricted portion of a body-worn camera or dashboard camera
 recording, as defined in division (A)(17) of this section, any
 person may file a mandamus action pursuant to this section or a
 complaint with the clerk of the court of claims pursuant to
 section 2743.75 of the Revised Code, requesting the court to order
 the release of all or portions of the recording. If the court
 considering the request determines that the filing articulates by
 clear and convincing evidence that the public interest in the
 recording substantially outweighs privacy interests and other
 interests asserted to deny release, the court shall order the
 public office to release the recording.

Sec. 2913.01. As used in this chapter, unless the context

requires that a term be given a different meaning: 3324

(A) "Deception" means knowingly deceiving another or causing 3325
 another to be deceived by any false or misleading representation, 3326
 by withholding information, by preventing another from acquiring 3327
 information, or by any other conduct, act, or omission that 3328
 creates, confirms, or perpetuates a false impression in another, 3329
 including a false impression as to law, value, state of mind, or 3330
 other objective or subjective fact. 3331

(B) "Defraud" means to knowingly obtain, by deception, some 3332
 benefit for oneself or another, or to knowingly cause, by 3333
 deception, some detriment to another. 3334

(C) "Deprive" means to do any of the following: 3335

(1) Withhold property of another permanently, or for a period 3336
 that appropriates a substantial portion of its value or use, or 3337
 with purpose to restore it only upon payment of a reward or other 3338
 consideration; 3339

(2) Dispose of property so as to make it unlikely that the 3340
 owner will recover it; 3341

(3) Accept, use, or appropriate money, property, or services, 3342
 with purpose not to give proper consideration in return for the 3343
 money, property, or services, and without reasonable justification 3344
 or excuse for not giving proper consideration. 3345

(D) "Owner" means, unless the context requires a different 3346
 meaning, any person, other than the actor, who is the owner of, 3347
 who has possession or control of, or who has any license or 3348
 interest in property or services, even though the ownership, 3349
 possession, control, license, or interest is unlawful. 3350

(E) "Services" include labor, personal services, professional 3351
 services, rental services, public utility services including 3352

wireless service as defined in division ~~(F)(1)~~ (F) of section 3353
 128.01 of the Revised Code, common carrier services, and food, 3354
 drink, transportation, entertainment, and cable television 3355
 services and, for purposes of section 2913.04 of the Revised Code, 3356
 include cable services as defined in that section. 3357

(F) "Writing" means any computer software, document, letter, 3358
 memorandum, note, paper, plate, data, film, or other thing having 3359
 in or upon it any written, typewritten, or printed matter, and any 3360
 token, stamp, seal, credit card, badge, trademark, label, or other 3361
 symbol of value, right, privilege, license, or identification. 3362

(G) "Forge" means to fabricate or create, in whole or in part 3363
 and by any means, any spurious writing, or to make, execute, 3364
 alter, complete, reproduce, or otherwise purport to authenticate 3365
 any writing, when the writing in fact is not authenticated by that 3366
 conduct. 3367

(H) "Utter" means to issue, publish, transfer, use, put or 3368
 send into circulation, deliver, or display. 3369

(I) "Coin machine" means any mechanical or electronic device 3370
 designed to do both of the following: 3371

(1) Receive a coin, bill, or token made for that purpose; 3372

(2) In return for the insertion or deposit of a coin, bill, 3373
 or token, automatically dispense property, provide a service, or 3374
 grant a license. 3375

(J) "Slug" means an object that, by virtue of its size, 3376
 shape, composition, or other quality, is capable of being inserted 3377
 or deposited in a coin machine as an improper substitute for a 3378
 genuine coin, bill, or token made for that purpose. 3379

(K) "Theft offense" means any of the following: 3380

(1) A violation of section 2911.01, 2911.02, 2911.11, 3381
 2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 3382
 2913.041, 2913.05, 2913.06, 2913.11, 2913.21, 2913.31, 2913.32, 3383
 2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2913.45, 3384
 2913.47, 2913.48, former section 2913.47 or 2913.48, or section 3385
 2913.51, 2915.05, or 2921.41 of the Revised Code; 3386

(2) A violation of an existing or former municipal ordinance 3387
 or law of this or any other state, or of the United States, 3388
 substantially equivalent to any section listed in division (K)(1) 3389
 of this section or a violation of section 2913.41, 2913.81, or 3390
 2915.06 of the Revised Code as it existed prior to July 1, 1996; 3391

(3) An offense under an existing or former municipal 3392
 ordinance or law of this or any other state, or of the United 3393
 States, involving robbery, burglary, breaking and entering, theft, 3394
 embezzlement, wrongful conversion, forgery, counterfeiting, 3395
 deceit, or fraud; 3396

(4) A conspiracy or attempt to commit, or complicity in 3397
 committing, any offense under division (K)(1), (2), or (3) of this 3398
 section. 3399

(L) "Computer services" includes, but is not limited to, the 3400
 use of a computer system, computer network, computer program, data 3401
 that is prepared for computer use, or data that is contained 3402
 within a computer system or computer network. 3403

(M) "Computer" means an electronic device that performs 3404
 logical, arithmetic, and memory functions by the manipulation of 3405
 electronic or magnetic impulses. "Computer" includes, but is not 3406
 limited to, all input, output, processing, storage, computer 3407
 program, or communication facilities that are connected, or 3408
 related, in a computer system or network to an electronic device 3409
 of that nature. 3410

(N) "Computer system" means a computer and related devices, 3411
 whether connected or unconnected, including, but not limited to, 3412
 data input, output, and storage devices, data communications 3413
 links, and computer programs and data that make the system capable 3414
 of performing specified special purpose data processing tasks. 3415

(O) "Computer network" means a set of related and remotely 3416
 connected computers and communication facilities that includes 3417
 more than one computer system that has the capability to transmit 3418
 among the connected computers and communication facilities through 3419
 the use of computer facilities. 3420

(P) "Computer program" means an ordered set of data 3421
 representing coded instructions or statements that, when executed 3422
 by a computer, cause the computer to process data. 3423

(Q) "Computer software" means computer programs, procedures, 3424
 and other documentation associated with the operation of a 3425
 computer system. 3426

(R) "Data" means a representation of information, knowledge, 3427
 facts, concepts, or instructions that are being or have been 3428
 prepared in a formalized manner and that are intended for use in a 3429
 computer, computer system, or computer network. For purposes of 3430
 section 2913.47 of the Revised Code, "data" has the additional 3431
 meaning set forth in division (A) of that section. 3432

(S) "Cable television service" means any services provided by 3433
 or through the facilities of any cable television system or other 3434
 similar closed circuit coaxial cable communications system, or any 3435
 microwave or similar transmission service used in connection with 3436
 any cable television system or other similar closed circuit 3437
 coaxial cable communications system. 3438

(T) "Gain access" means to approach, instruct, communicate 3439

with, store data in, retrieve data from, or otherwise make use of 3440
 any resources of a computer, computer system, or computer network, 3441
 or any cable service or cable system both as defined in section 3442
 2913.04 of the Revised Code. 3443

(U) "Credit card" includes, but is not limited to, a card, 3444
 code, device, or other means of access to a customer's account for 3445
 the purpose of obtaining money, property, labor, or services on 3446
 credit, or for initiating an electronic fund transfer at a 3447
 point-of-sale terminal, an automated teller machine, or a cash 3448
 dispensing machine. It also includes a county procurement card 3449
 issued under section 301.29 of the Revised Code. 3450

(V) "Electronic fund transfer" has the same meaning as in 92 3451
 Stat. 3728, 15 U.S.C.A. 1693a, as amended. 3452

(W) "Rented property" means personal property in which the 3453
 right of possession and use of the property is for a short and 3454
 possibly indeterminate term in return for consideration; the 3455
 rentee generally controls the duration of possession of the 3456
 property, within any applicable minimum or maximum term; and the 3457
 amount of consideration generally is determined by the duration of 3458
 possession of the property. 3459

(X) "Telecommunication" means the origination, emission, 3460
 dissemination, transmission, or reception of data, images, 3461
 signals, sounds, or other intelligence or equivalence of 3462
 intelligence of any nature over any communications system by any 3463
 method, including, but not limited to, a fiber optic, electronic, 3464
 magnetic, optical, digital, or analog method. 3465

(Y) "Telecommunications device" means any instrument, 3466
 equipment, machine, or other device that facilitates 3467
 telecommunication, including, but not limited to, a computer, 3468
 computer network, computer chip, computer circuit, scanner, 3469

telephone, cellular telephone, pager, personal communications 3470
 device, transponder, receiver, radio, modem, or device that 3471
 enables the use of a modem. 3472

(Z) "Telecommunications service" means the providing, 3473
 allowing, facilitating, or generating of any form of 3474
 telecommunication through the use of a telecommunications device 3475
 over a telecommunications system. 3476

(AA) "Counterfeit telecommunications device" means a 3477
 telecommunications device that, alone or with another 3478
 telecommunications device, has been altered, constructed, 3479
 manufactured, or programmed to acquire, intercept, receive, or 3480
 otherwise facilitate the use of a telecommunications service or 3481
 information service without the authority or consent of the 3482
 provider of the telecommunications service or information service. 3483
 "Counterfeit telecommunications device" includes, but is not 3484
 limited to, a clone telephone, clone microchip, tumbler telephone, 3485
 or tumbler microchip; a wireless scanning device capable of 3486
 acquiring, intercepting, receiving, or otherwise facilitating the 3487
 use of telecommunications service or information service without 3488
 immediate detection; or a device, equipment, hardware, or software 3489
 designed for, or capable of, altering or changing the electronic 3490
 serial number in a wireless telephone. 3491

(BB)(1) "Information service" means, subject to division 3492
 (BB)(2) of this section, the offering of a capability for 3493
 generating, acquiring, storing, transforming, processing, 3494
 retrieving, utilizing, or making available information via 3495
 telecommunications, including, but not limited to, electronic 3496
 publishing. 3497

(2) "Information service" does not include any use of a 3498
 capability of a type described in division (BB)(1) of this section 3499

for the management, control, or operation of a telecommunications system or the management of a telecommunications service. 3500
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(CC) "Elderly person" means a person who is sixty-five years of age or older. 3502
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(DD) "Disabled adult" means a person who is eighteen years of age or older and has some impairment of body or mind that makes the person unable to work at any substantially remunerative employment that the person otherwise would be able to perform and that will, with reasonable probability, continue for a period of at least twelve months without any present indication of recovery from the impairment, or who is eighteen years of age or older and has been certified as permanently and totally disabled by an agency of this state or the United States that has the function of so classifying persons. 3504
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(EE) "Firearm" and "dangerous ordnance" have the same meanings as in section 2923.11 of the Revised Code. 3514
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(FF) "Motor vehicle" has the same meaning as in section 4501.01 of the Revised Code. 3516
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(GG) "Dangerous drug" has the same meaning as in section 4729.01 of the Revised Code. 3518
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(HH) "Drug abuse offense" has the same meaning as in section 2925.01 of the Revised Code. 3520
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(II)(1) "Computer hacking" means any of the following: 3522

(a) Gaining access or attempting to gain access to all or part of a computer, computer system, or a computer network without express or implied authorization with the intent to defraud or with intent to commit a crime; 3523
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(b) Misusing computer or network services including, but not 3527

limited to, mail transfer programs, file transfer programs, proxy 3528
servers, and web servers by performing functions not authorized by 3529
the owner of the computer, computer system, or computer network or 3530
other person authorized to give consent. As used in this division, 3531
"misuse of computer and network services" includes, but is not 3532
limited to, the unauthorized use of any of the following: 3533

(i) Mail transfer programs to send mail to persons other than 3534
the authorized users of that computer or computer network; 3535

(ii) File transfer program proxy services or proxy servers to 3536
access other computers, computer systems, or computer networks; 3537

(iii) Web servers to redirect users to other web pages or web 3538
servers. 3539

(c)(i) Subject to division (II)(1)(c)(ii) of this section, 3540
using a group of computer programs commonly known as "port 3541
scanners" or "probes" to intentionally access any computer, 3542
computer system, or computer network without the permission of the 3543
owner of the computer, computer system, or computer network or 3544
other person authorized to give consent. The group of computer 3545
programs referred to in this division includes, but is not limited 3546
to, those computer programs that use a computer network to access 3547
a computer, computer system, or another computer network to 3548
determine any of the following: the presence or types of computers 3549
or computer systems on a network; the computer network's 3550
facilities and capabilities; the availability of computer or 3551
network services; the presence or versions of computer software 3552
including, but not limited to, operating systems, computer 3553
services, or computer contaminants; the presence of a known 3554
computer software deficiency that can be used to gain unauthorized 3555
access to a computer, computer system, or computer network; or any 3556
other information about a computer, computer system, or computer 3557

network not necessary for the normal and lawful operation of the computer initiating the access. 3558
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(ii) The group of computer programs referred to in division (II)(1)(c)(i) of this section does not include standard computer software used for the normal operation, administration, management, and test of a computer, computer system, or computer network including, but not limited to, domain name services, mail transfer services, and other operating system services, computer programs commonly called "ping," "tcpdump," and "traceroute" and other network monitoring and management computer software, and computer programs commonly known as "nslookup" and "whois" and other systems administration computer software. 3560
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(d) The intentional use of a computer, computer system, or a computer network in a manner that exceeds any right or permission granted by the owner of the computer, computer system, or computer network or other person authorized to give consent. 3570
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(2) "Computer hacking" does not include the introduction of a computer contaminant, as defined in section 2909.01 of the Revised Code, into a computer, computer system, computer program, or computer network. 3574
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(JJ) "Police dog or horse" has the same meaning as in section 2921.321 of the Revised Code. 3578
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(KK) "Anhydrous ammonia" is a compound formed by the combination of two gaseous elements, nitrogen and hydrogen, in the manner described in this division. Anhydrous ammonia is one part nitrogen to three parts hydrogen (NH₃). Anhydrous ammonia by weight is fourteen parts nitrogen to three parts hydrogen, which is approximately eighty-two per cent nitrogen to eighteen per cent hydrogen. 3580
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(LL) "Assistance dog" has the same meaning as in section 3587
 955.011 of the Revised Code. 3588

(MM) "Federally licensed firearms dealer" has the same 3589
 meaning as in section 5502.63 of the Revised Code. 3590

(NN) "Active duty service member" means any member of the 3591
 armed forces of the United States performing active duty under 3592
 title 10 of the United States Code. 3593

Sec. 4776.20. (A) As used in this section: 3594

(1) "Licensing agency" means, in addition to each board 3595
 identified in division (C) of section 4776.01 of the Revised Code, 3596
 the board or other government entity authorized to issue a license 3597
 under Chapters 4703., 4707., 4709., 4712., 4713., 4719., 4723., 3598
 4727., 4728., 4733., 4735., 4736., 4737., 4738., 4740., ~~4742.,~~ 3599
 4747., 4749., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 3600
 4766., 4771., 4773., and 4781. of the Revised Code. "Licensing 3601
 agency" includes an administrative officer that has authority to 3602
 issue a license. 3603

(2) "Licensee" means, in addition to a licensee as described 3604
 in division (B) of section 4776.01 of the Revised Code, the person 3605
 to whom a license is issued by the board or other government 3606
 entity authorized to issue a license under Chapters 4703., 4707., 3607
 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 3608
 4736., 4737., 4738., 4740., ~~4742.,~~ 4747., 4749., 4751., 4752., 3609
 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 3610
 4781. of the Revised Code. 3611

(3) "Prosecutor" has the same meaning as in section 2935.01 3612
 of the Revised Code. 3613

(B) On a licensee's conviction of, plea of guilty to, 3614
 judicial finding of guilt of, or judicial finding of guilt 3615

resulting from a plea of no contest to the offense of trafficking 3616
 in persons in violation of section 2905.32 of the Revised Code, 3617
 the prosecutor in the case shall promptly notify the licensing 3618
 agency of the conviction, plea, or finding and provide the 3619
 licensee's name and residential address. On receipt of this 3620
 notification, the licensing agency shall immediately suspend the 3621
 licensee's license. 3622

(C) If there is a conviction of, plea of guilty to, judicial 3623
 finding of guilt of, or judicial finding of guilt resulting from a 3624
 plea of no contest to the offense of trafficking in persons in 3625
 violation of section 2905.32 of the Revised Code and all or part 3626
 of the violation occurred on the premises of a facility that is 3627
 licensed by a licensing agency, the prosecutor in the case shall 3628
 promptly notify the licensing agency of the conviction, plea, or 3629
 finding and provide the facility's name and address and the 3630
 offender's name and residential address. On receipt of this 3631
 notification, the licensing agency shall immediately suspend the 3632
 facility's license. 3633

(D) Notwithstanding any provision of the Revised Code to the 3634
 contrary, the suspension of a license under division (B) or (C) of 3635
 this section shall be implemented by a licensing agency without a 3636
 prior hearing. After the suspension, the licensing agency shall 3637
 give written notice to the subject of the suspension of the right 3638
 to request a hearing under Chapter 119. of the Revised Code. After 3639
 a hearing is held, the licensing agency shall either revoke or 3640
 permanently revoke the license of the subject of the suspension, 3641
 unless it determines that the license holder has not been 3642
 convicted of, pleaded guilty to, been found guilty of, or been 3643
 found guilty based on a plea of no contest to the offense of 3644
 trafficking in persons in violation of section 2905.32 of the 3645
 Revised Code. 3646

Sec. 5703.052. (A) There is hereby created in the state 3647
 treasury the tax refund fund, from which refunds shall be paid for 3648
 taxes illegally or erroneously assessed or collected, or for any 3649
 other reason overpaid, that are levied by Chapter 4301., 4305., 3650
 5726., 5728., 5729., 5731., 5733., 5735., 5736., 5739., 5741., 3651
 5743., 5747., 5748., 5749., 5751., or 5753. and sections 3737.71, 3652
 3905.35, 3905.36, 4303.33, 5707.03, 5725.18, 5727.28, 5727.38, 3653
 5727.81, and 5727.811 of the Revised Code. Refunds for fees ~~or~~ 3654
levied under sections 3734.90 to 3734.9014 of the Revised Code, 3655
wireless 9-1-1 charges imposed under section 128.40 of the Revised 3656
Code, or next generation 9-1-1 access fees imposed under sections 3657
128.41 and 128.42 of the Revised Code illegally or erroneously 3658
 assessed or collected, or for any other reason overpaid, ~~that are~~ 3659
~~levied by sections 128.42 or 3734.90 to 3734.9014 of the Revised~~ 3660
~~Code~~ also shall be paid from the fund. Refunds for amounts 3661
 illegally or erroneously assessed or collected by the tax 3662
 commissioner, or for any other reason overpaid, that are due under 3663
 section 1509.50 of the Revised Code shall be paid from the fund. 3664
 Refunds for amounts illegally or erroneously assessed or collected 3665
 by the commissioner, or for any other reason overpaid to the 3666
 commissioner, under sections 718.80 to 718.95 of the Revised Code 3667
 shall be paid from the fund. However, refunds for taxes levied 3668
 under section 5739.101 of the Revised Code shall not be paid from 3669
 the tax refund fund, but shall be paid as provided in section 3670
 5739.104 of the Revised Code. 3671

(B)(1) Upon certification by the tax commissioner to the 3672
 treasurer of state of a tax refund, a wireless 9-1-1 charge 3673
 refund, a next generation 9-1-1 access fee refund, or another 3674
 amount refunded, or by the superintendent of insurance of a 3675
 domestic or foreign insurance tax refund, the treasurer of state 3676
 shall place the amount certified to the credit of the fund. The 3677

certified amount transferred shall be derived from the receipts of 3678
 the same tax, fee, wireless 9-1-1 charge, next generation 9-1-1 3679
access fee, or other amount from which the refund arose. 3680

(2) When a refund is for a tax, fee, wireless 9-1-1 charge, 3681
next generation 9-1-1 access fee, or other amount that is not 3682
 levied by the state or that was illegally or erroneously 3683
 distributed to a taxing jurisdiction, the tax commissioner shall 3684
 recover the amount of that refund from the next distribution of 3685
 that tax, fee, wireless 9-1-1 charge, next generation 9-1-1 access 3686
fee, or other amount that otherwise would be made to the taxing 3687
 jurisdiction. If the amount to be recovered would exceed 3688
 twenty-five per cent of the next distribution of that tax, fee, 3689
 wireless 9-1-1 charge, next generation 9-1-1 access fee, or other 3690
 amount, the commissioner may spread the recovery over more than 3691
 one future distribution, taking into account the amount to be 3692
 recovered and the amount of the anticipated future distributions. 3693
 In no event may the commissioner spread the recovery over a period 3694
 to exceed thirty-six months. 3695

Sec. 5733.55. (A) As used in this section: 3696

(1) "9-1-1 system" has the same meaning as in section 128.01 3697
 of the Revised Code. 3698

(2) "Nonrecurring 9-1-1 charges" means nonrecurring charges 3699
 approved by the public utilities commission for the telephone 3700
 network portion of a 9-1-1 system pursuant to section ~~128.18~~ 3701
128.33 of the Revised Code. 3702

(3) "Eligible nonrecurring 9-1-1 charges" means all 3703
 nonrecurring 9-1-1 charges for a 9-1-1 system except both of the 3704
 following: 3705

(a) Charges for a system that was not established pursuant to 3706
 a plan adopted under section 128.08 of the Revised Code ~~or an~~ 3707

~~agreement under section 128.09 of the Revised Code;~~ 3708

(b) Charges for that part of a system established pursuant to 3709
such a plan ~~or agreement~~ that are excluded from the credit by 3710
division (C)(2) of section ~~128.18~~ 128.33 of the Revised Code. 3711

(4) "Telephone company" has the same meaning as in section 3712
5727.01 of the Revised Code. 3713

(B) Beginning in tax year 2005, a telephone company shall be 3714
allowed a nonrefundable credit against the tax imposed by section 3715
5733.06 of the Revised Code equal to the amount of its eligible 3716
nonrecurring 9-1-1 charges. The credit shall be claimed for the 3717
company's taxable year that covers the period in which the 9-1-1 3718
service for which the credit is claimed becomes available for use. 3719
The credit shall be claimed in the order required by section 3720
5733.98 of the Revised Code. If the credit exceeds the total taxes 3721
due under section 5733.06 of the Revised Code for the tax year, 3722
the tax commissioner shall credit the excess against taxes due 3723
under that section for succeeding tax years until the full amount 3724
of the credit is granted. 3725

(C) After the last day a return, with any extensions, may be 3726
filed by any telephone company that is eligible to claim a credit 3727
under this section, the commissioner shall determine whether the 3728
sum of the credits allowed for prior tax years commencing with tax 3729
year 2005 plus the sum of the credits claimed for the current tax 3730
year exceeds fifteen million dollars. If it does, the credits 3731
allowed under this section for the current tax year shall be 3732
reduced by a uniform percentage such that the sum of the credits 3733
allowed for the current tax year do not exceed fifteen million 3734
dollars claimed by all telephone companies for all tax years. 3735
Thereafter, no credit shall be granted under this section, except 3736
for the remaining portions of any credits allowed under division 3737

(B) of this section. 3738

(D) A telephone company that is entitled to carry forward a 3739
 credit against its public utility excise tax liability under 3740
 section 5727.39 of the Revised Code is entitled to carry forward 3741
 any amount of that credit remaining after its last public utility 3742
 excise tax payment for the period of July 1, 2003, through June 3743
 30, 2004, and claim that amount as a credit against its 3744
 corporation franchise tax liability under this section. Nothing in 3745
 this section authorizes a telephone company to claim a credit 3746
 under this section for any eligible nonrecurring 9-1-1 charges for 3747
 which it has already claimed a credit under this section or 3748
 section 5727.39 of the Revised Code. 3749

Sec. 5751.01. As used in this chapter: 3750

(A) "Person" means, but is not limited to, individuals, 3751
 combinations of individuals of any form, receivers, assignees, 3752
 trustees in bankruptcy, firms, companies, joint-stock companies, 3753
 business trusts, estates, partnerships, limited liability 3754
 partnerships, limited liability companies, associations, joint 3755
 ventures, clubs, societies, for-profit corporations, S 3756
 corporations, qualified subchapter S subsidiaries, qualified 3757
 subchapter S trusts, trusts, entities that are disregarded for 3758
 federal income tax purposes, and any other entities. 3759

(B) "Consolidated elected taxpayer" means a group of two or 3760
 more persons treated as a single taxpayer for purposes of this 3761
 chapter as the result of an election made under section 5751.011 3762
 of the Revised Code. 3763

(C) "Combined taxpayer" means a group of two or more persons 3764
 treated as a single taxpayer for purposes of this chapter under 3765
 section 5751.012 of the Revised Code. 3766

(D) "Taxpayer" means any person, or any group of persons in the case of a consolidated elected taxpayer or combined taxpayer treated as one taxpayer, required to register or pay tax under this chapter. "Taxpayer" does not include excluded persons.

(E) "Excluded person" means any of the following:

(1) Any person with not more than one hundred fifty thousand dollars of taxable gross receipts during the calendar year. Division (E)(1) of this section does not apply to a person that is a member of a consolidated elected taxpayer+.

(2) A public utility that paid the excise tax imposed by section 5727.24 or 5727.30 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter, except that a public utility that is a combined company is a taxpayer with regard to the following gross receipts:

(a) Taxable gross receipts directly attributed to a public utility activity, but not directly attributed to an activity that is subject to the excise tax imposed by section 5727.24 or 5727.30 of the Revised Code;

(b) Taxable gross receipts that cannot be directly attributed to any activity, multiplied by a fraction whose numerator is the taxable gross receipts described in division (E)(2)(a) of this section and whose denominator is the total taxable gross receipts that can be directly attributed to any activity;

(c) Except for any differences resulting from the use of an accrual basis method of accounting for purposes of determining gross receipts under this chapter and the use of the cash basis method of accounting for purposes of determining gross receipts under section 5727.24 of the Revised Code, the gross receipts directly attributed to the activity of a natural gas company shall

be determined in a manner consistent with division (D) of section 3796
 5727.03 of the Revised Code. 3797

As used in division (E)(2) of this section, "combined 3798
 company" and "public utility" have the same meanings as in section 3799
 5727.01 of the Revised Code. 3800

(3) A financial institution, as defined in section 5726.01 of 3801
 the Revised Code, that paid the tax imposed by section 5726.02 of 3802
 the Revised Code based on one or more taxable years that include 3803
 the entire tax period under this chapter; 3804

(4) A person directly or indirectly owned by one or more 3805
 financial institutions, as defined in section 5726.01 of the 3806
 Revised Code, that paid the tax imposed by section 5726.02 of the 3807
 Revised Code based on one or more taxable years that include the 3808
 entire tax period under this chapter. 3809

For the purposes of division (E)(4) of this section, a person 3810
 owns another person under the following circumstances: 3811

(a) In the case of corporations issuing capital stock, one 3812
 corporation owns another corporation if it owns fifty per cent or 3813
 more of the other corporation's capital stock with current voting 3814
 rights; 3815

(b) In the case of a limited liability company, one person 3816
 owns the company if that person's membership interest, as defined 3817
 in section 1706.01 of the Revised Code, is fifty per cent or more 3818
 of the combined membership interests of all persons owning such 3819
 interests in the company; 3820

(c) In the case of a partnership, trust, or other 3821
 unincorporated business organization other than a limited 3822
 liability company, one person owns the organization if, under the 3823
 articles of organization or other instrument governing the affairs 3824

of the organization, that person has a beneficial interest in the 3825
 organization's profits, surpluses, losses, or distributions of 3826
 fifty per cent or more of the combined beneficial interests of all 3827
 persons having such an interest in the organization. 3828

(5) A domestic insurance company or foreign insurance 3829
 company, as defined in section 5725.01 of the Revised Code, that 3830
 paid the insurance company premiums tax imposed by section 5725.18 3831
 or Chapter 5729. of the Revised Code, or an unauthorized insurance 3832
 company whose gross premiums are subject to tax under section 3833
 3905.36 of the Revised Code based on one or more measurement 3834
 periods that include the entire tax period under this chapter; 3835

(6) A person that solely facilitates or services one or more 3836
 securitizations of phase-in-recovery property pursuant to a final 3837
 financing order as those terms are defined in section 4928.23 of 3838
 the Revised Code. For purposes of this division, "securitization" 3839
 means transferring one or more assets to one or more persons and 3840
 then issuing securities backed by the right to receive payment 3841
 from the asset or assets so transferred. 3842

(7) Except as otherwise provided in this division, a 3843
 pre-income tax trust as defined in section 5747.01 of the Revised 3844
 Code and any pass-through entity of which such pre-income tax 3845
 trust owns or controls, directly, indirectly, or constructively 3846
 through related interests, more than five per cent of the 3847
 ownership or equity interests. If the pre-income tax trust has 3848
 made a qualifying pre-income tax trust election under division 3849
 (EE) of section 5747.01 of the Revised Code, then the trust and 3850
 the pass-through entities of which it owns or controls, directly, 3851
 indirectly, or constructively through related interests, more than 3852
 five per cent of the ownership or equity interests, shall not be 3853
 excluded persons for purposes of the tax imposed under section 3854

5751.02 of the Revised Code. 3855

(8) Nonprofit organizations or the state and its agencies, 3856
 instrumentalities, or political subdivisions. 3857

(F) Except as otherwise provided in divisions (F)(2), (3), 3858
 and (4) of this section, "gross receipts" means the total amount 3859
 realized by a person, without deduction for the cost of goods sold 3860
 or other expenses incurred, that contributes to the production of 3861
 gross income of the person, including the fair market value of any 3862
 property and any services received, and any debt transferred or 3863
 forgiven as consideration. 3864

(1) The following are examples of gross receipts: 3865

(a) Amounts realized from the sale, exchange, or other 3866
 disposition of the taxpayer's property to or with another; 3867

(b) Amounts realized from the taxpayer's performance of 3868
 services for another; 3869

(c) Amounts realized from another's use or possession of the 3870
 taxpayer's property or capital; 3871

(d) Any combination of the foregoing amounts. 3872

(2) "Gross receipts" excludes the following amounts: 3873

(a) Interest income except interest on credit sales; 3874

(b) Dividends and distributions from corporations, and 3875
 distributive or proportionate shares of receipts and income from a 3876
 pass-through entity as defined under section 5733.04 of the 3877
 Revised Code; 3878

(c) Receipts from the sale, exchange, or other disposition of 3879
 an asset described in section 1221 or 1231 of the Internal Revenue 3880
 Code, without regard to the length of time the person held the 3881
 asset. Notwithstanding section 1221 of the Internal Revenue Code, 3882

receipts from hedging transactions also are excluded to the extent 3883
the transactions are entered into primarily to protect a financial 3884
position, such as managing the risk of exposure to (i) foreign 3885
currency fluctuations that affect assets, liabilities, profits, 3886
losses, equity, or investments in foreign operations; (ii) 3887
interest rate fluctuations; or (iii) commodity price fluctuations. 3888
As used in division (F)(2)(c) of this section, "hedging 3889
transaction" has the same meaning as used in section 1221 of the 3890
Internal Revenue Code and also includes transactions accorded 3891
hedge accounting treatment under statement of financial accounting 3892
standards number 133 of the financial accounting standards board. 3893
For the purposes of division (F)(2)(c) of this section, the actual 3894
transfer of title of real or tangible personal property to another 3895
entity is not a hedging transaction. 3896

(d) Proceeds received attributable to the repayment, 3897
maturity, or redemption of the principal of a loan, bond, mutual 3898
fund, certificate of deposit, or marketable instrument; 3899

(e) The principal amount received under a repurchase 3900
agreement or on account of any transaction properly characterized 3901
as a loan to the person; 3902

(f) Contributions received by a trust, plan, or other 3903
arrangement, any of which is described in section 501(a) of the 3904
Internal Revenue Code, or to which Title 26, Subtitle A, Chapter 3905
1, Subchapter (D) of the Internal Revenue Code applies; 3906

(g) Compensation, whether current or deferred, and whether in 3907
cash or in kind, received or to be received by an employee, former 3908
employee, or the employee's legal successor for services rendered 3909
to or for an employer, including reimbursements received by or for 3910
an individual for medical or education expenses, health insurance 3911
premiums, or employee expenses, or on account of a dependent care 3912

spending account, legal services plan, any cafeteria plan	3913
described in section 125 of the Internal Revenue Code, or any	3914
similar employee reimbursement;	3915
(h) Proceeds received from the issuance of the taxpayer's own	3916
stock, options, warrants, puts, or calls, or from the sale of the	3917
taxpayer's treasury stock;	3918
(i) Proceeds received on the account of payments from	3919
insurance policies, except those proceeds received for the loss of	3920
business revenue;	3921
(j) Gifts or charitable contributions received; membership	3922
dues received by trade, professional, homeowners', or condominium	3923
associations; and payments received for educational courses,	3924
meetings, meals, or similar payments to a trade, professional, or	3925
other similar association; and fundraising receipts received by	3926
any person when any excess receipts are donated or used	3927
exclusively for charitable purposes;	3928
(k) Damages received as the result of litigation in excess of	3929
amounts that, if received without litigation, would be gross	3930
receipts;	3931
(l) Property, money, and other amounts received or acquired	3932
by an agent on behalf of another in excess of the agent's	3933
commission, fee, or other remuneration;	3934
(m) Tax refunds, other tax benefit recoveries, and	3935
reimbursements for the tax imposed under this chapter made by	3936
entities that are part of the same combined taxpayer or	3937
consolidated elected taxpayer group, and reimbursements made by	3938
entities that are not members of a combined taxpayer or	3939
consolidated elected taxpayer group that are required to be made	3940
for economic parity among multiple owners of an entity whose tax	3941

obligation under this chapter is required to be reported and paid 3942
entirely by one owner, pursuant to the requirements of sections 3943
5751.011 and 5751.012 of the Revised Code; 3944

(n) Pension reversions; 3945

(o) Contributions to capital; 3946

(p) Sales or use taxes collected as a vendor or an 3947
out-of-state seller on behalf of the taxing jurisdiction from a 3948
consumer or other taxes the taxpayer is required by law to collect 3949
directly from a purchaser and remit to a local, state, or federal 3950
tax authority; 3951

(q) In the case of receipts from the sale of cigarettes, 3952
tobacco products, or vapor products by a wholesale dealer, retail 3953
dealer, distributor, manufacturer, vapor distributor, or seller, 3954
all as defined in section 5743.01 of the Revised Code, an amount 3955
equal to the federal and state excise taxes paid by any person on 3956
or for such cigarettes, tobacco products, or vapor products under 3957
subtitle E of the Internal Revenue Code or Chapter 5743. of the 3958
Revised Code; 3959

(r) In the case of receipts from the sale, transfer, 3960
exchange, or other disposition of motor fuel as "motor fuel" is 3961
defined in section 5736.01 of the Revised Code, an amount equal to 3962
the value of the motor fuel, including federal and state motor 3963
fuel excise taxes and receipts from billing or invoicing the tax 3964
imposed under section 5736.02 of the Revised Code to another 3965
person; 3966

(s) In the case of receipts from the sale of beer or 3967
intoxicating liquor, as defined in section 4301.01 of the Revised 3968
Code, by a person holding a permit issued under Chapter 4301. or 3969
4303. of the Revised Code, an amount equal to federal and state 3970

excise taxes paid by any person on or for such beer or 3971
 intoxicating liquor under subtitle E of the Internal Revenue Code 3972
 or Chapter 4301. or 4305. of the Revised Code; 3973

(t) Receipts realized by a new motor vehicle dealer or used 3974
 motor vehicle dealer, as defined in section 4517.01 of the Revised 3975
 Code, from the sale or other transfer of a motor vehicle, as 3976
 defined in that section, to another motor vehicle dealer for the 3977
 purpose of resale by the transferee motor vehicle dealer, but only 3978
 if the sale or other transfer was based upon the transferee's need 3979
 to meet a specific customer's preference for a motor vehicle; 3980

(u) Receipts from a financial institution described in 3981
 division (E)(3) of this section for services provided to the 3982
 financial institution in connection with the issuance, processing, 3983
 servicing, and management of loans or credit accounts, if such 3984
 financial institution and the recipient of such receipts have at 3985
 least fifty per cent of their ownership interests owned or 3986
 controlled, directly or constructively through related interests, 3987
 by common owners; 3988

(v) Receipts realized from administering anti-neoplastic 3989
 drugs and other cancer chemotherapy, biologicals, therapeutic 3990
 agents, and supportive drugs in a physician's office to patients 3991
 with cancer; 3992

(w) Funds received or used by a mortgage broker that is not a 3993
 dealer in intangibles, other than fees or other consideration, 3994
 pursuant to a table-funding mortgage loan or warehouse-lending 3995
 mortgage loan. Terms used in division (F)(2)(w) of this section 3996
 have the same meanings as in section 1322.01 of the Revised Code, 3997
 except "mortgage broker" means a person assisting a buyer in 3998
 obtaining a mortgage loan for a fee or other consideration paid by 3999
 the buyer or a lender, or a person engaged in table-funding or 4000

warehouse-lending mortgage loans that are first lien mortgage	4001
loans.	4002
(x) Property, money, and other amounts received by a	4003
professional employer organization, as defined in section 4125.01	4004
of the Revised Code, or an alternate employer organization, as	4005
defined in section 4133.01 of the Revised Code, from a client	4006
employer, as defined in either of those sections as applicable, in	4007
excess of the administrative fee charged by the professional	4008
employer organization or the alternate employer organization to	4009
the client employer;	4010
(y) In the case of amounts retained as commissions by a	4011
permit holder under Chapter 3769. of the Revised Code, an amount	4012
equal to the amounts specified under that chapter that must be	4013
paid to or collected by the tax commissioner as a tax and the	4014
amounts specified under that chapter to be used as purse money;	4015
(z) Qualifying distribution center receipts as determined	4016
under section 5751.40 of the Revised Code;	4017
(aa) Receipts of an employer from payroll deductions relating	4018
to the reimbursement of the employer for advancing moneys to an	4019
unrelated third party on an employee's behalf;	4020
(bb) Cash discounts allowed and taken;	4021
(cc) Returns and allowances;	4022
(dd) Bad debts from receipts on the basis of which the tax	4023
imposed by this chapter was paid in a prior quarterly tax payment	4024
period. For the purpose of this division, "bad debts" means any	4025
debts that have become worthless or uncollectible between the	4026
preceding and current quarterly tax payment periods, have been	4027
uncollected for at least six months, and that may be claimed as a	4028
deduction under section 166 of the Internal Revenue Code and the	4029

regulations adopted under that section, or that could be claimed 4030
as such if the taxpayer kept its accounts on the accrual basis. 4031
"Bad debts" does not include repossessed property, uncollectible 4032
amounts on property that remains in the possession of the taxpayer 4033
until the full purchase price is paid, or expenses in attempting 4034
to collect any account receivable or for any portion of the debt 4035
recovered+. 4036

(ee) Any amount realized from the sale of an account 4037
receivable to the extent the receipts from the underlying 4038
transaction giving rise to the account receivable were included in 4039
the gross receipts of the taxpayer; 4040

(ff) Any receipts directly attributed to a transfer agreement 4041
or to the enterprise transferred under that agreement under 4042
section 4313.02 of the Revised Code-; 4043

(gg) Qualified uranium receipts as determined under section 4044
5751.41 of the Revised Code-; 4045

(hh) In the case of amounts collected by a licensed casino 4046
operator from casino gaming, amounts in excess of the casino 4047
operator's gross casino revenue. In this division, "casino 4048
operator" and "casino gaming" have the meanings defined in section 4049
3772.01 of the Revised Code, and "gross casino revenue" has the 4050
meaning defined in section 5753.01 of the Revised Code. 4051

(ii) Receipts realized from the sale of agricultural 4052
commodities by an agricultural commodity handler, both as defined 4053
in section 926.01 of the Revised Code, that is licensed by the 4054
director of agriculture to handle agricultural commodities in this 4055
state-; 4056

(jj) Qualifying integrated supply chain receipts as 4057
determined under section 5751.42 of the Revised Code-; 4058

(kk) In the case of a railroad company described in division 4059
 (D)(9) of section 5727.01 of the Revised Code that purchases dyed 4060
 diesel fuel directly from a supplier as defined by section 5736.01 4061
 of the Revised Code, an amount equal to the product of the number 4062
 of gallons of dyed diesel fuel purchased directly from such a 4063
 supplier multiplied by the average wholesale price for a gallon of 4064
 diesel fuel as determined under section 5736.02 of the Revised 4065
 Code for the period during which the fuel was purchased multiplied 4066
 by a fraction, the numerator of which equals the rate of tax 4067
 levied by section 5736.02 of the Revised Code less the rate of tax 4068
 computed in section 5751.03 of the Revised Code, and the 4069
 denominator of which equals the rate of tax computed in section 4070
 5751.03 of the Revised Code-; 4071

(ll) Receipts realized by an out-of-state disaster business 4072
 from disaster work conducted in this state during a disaster 4073
 response period pursuant to a qualifying solicitation received by 4074
 the business. Terms used in division (F)(2)(ll) of this section 4075
 have the same meanings as in section 5703.94 of the Revised Code. 4076

(mm) In the case of receipts from the sale or transfer of a 4077
 mortgage-backed security or a mortgage loan by a mortgage lender 4078
 holding a valid certificate of registration issued under Chapter 4079
 1322. of the Revised Code or by a person that is a member of the 4080
 mortgage lender's consolidated elected taxpayer group, an amount 4081
 equal to the principal balance of the mortgage loan-; 4082

(nn) Amounts of excess surplus of the state insurance fund 4083
 received by the taxpayer from the Ohio bureau of workers' 4084
 compensation pursuant to rules adopted under section 4123.321 of 4085
 the Revised Code-; 4086

(oo) Except as otherwise provided in division (B) of section 4087
 5751.091 of the Revised Code, receipts of a megaproject supplier 4088

from sales of tangible personal property directly to a megaproject operator in this state for use at the site of the megaproject operator's megaproject, provided that the sale occurs during the period that the megaproject operator has an agreement with the tax credit authority for the megaproject under division (D) of section 122.17 of the Revised Code that remains in effect and has not expired or been terminated, and provided the megaproject supplier holds a certificate for such megaproject issued under section 5751.052 of the Revised Code for the calendar year in which the sales are made and, if the megaproject supplier meets the requirements described in division (A)(13)(b) of section 122.17 of the Revised Code, the megaproject supplier holds a certificate for such megaproject issued under division (D)(11) of section 122.17 of the Revised Code on the first day of that calendar year;

(pp) Receipts from the sale of each new piece of capital equipment that has a cost in excess of one hundred million dollars and that is used at the site of a megaproject that satisfies the criteria described in division (A)(11)(a)(ii) of section 122.17 of the Revised Code, provided that the sale occurs during the period that a megaproject operator has an agreement for that megaproject with the tax credit authority under division (D) of section 122.17 of the Revised Code that remains in effect and has not expired or been terminated;

(qq) In the case of amounts collected by a sports gaming proprietor from sports gaming, amounts in excess of the proprietor's sports gaming receipts. As used in this division, "sports gaming proprietor" has the same meaning as in section 3775.01 of the Revised Code and "sports gaming receipts" has the same meaning as in section 5753.01 of the Revised Code.

(rr) Any receipts for which the tax imposed by this chapter

is prohibited by the constitution or laws of the United States or
the constitution of this state; 4119
4120

(ss) Receipts from fees imposed under sections 128.41 and
128.42 of the Revised Code. 4121
4122

(3) In the case of a taxpayer when acting as a real estate
broker, "gross receipts" includes only the portion of any fee for 4123
broker, "gross receipts" includes only the portion of any fee for 4124
the service of a real estate broker, or service of a real estate 4125
salesperson associated with that broker, that is retained by the 4126
broker and not paid to an associated real estate salesperson or 4127
another real estate broker. For the purposes of this division, 4128
"real estate broker" and "real estate salesperson" have the same 4129
meanings as in section 4735.01 of the Revised Code. 4130

(4) A taxpayer's method of accounting for gross receipts for 4131
a tax period shall be the same as the taxpayer's method of 4132
accounting for federal income tax purposes for the taxpayer's 4133
federal taxable year that includes the tax period. If a taxpayer's 4134
method of accounting for federal income tax purposes changes, its 4135
method of accounting for gross receipts under this chapter shall 4136
be changed accordingly. 4137

(G) "Taxable gross receipts" means gross receipts sitused to 4138
this state under section 5751.033 of the Revised Code. 4139

(H) A person has "substantial nexus with this state" if any 4140
of the following applies. The person: 4141

(1) Owns or uses a part or all of its capital in this state; 4142

(2) Holds a certificate of compliance with the laws of this 4143
state authorizing the person to do business in this state; 4144

(3) Has bright-line presence in this state; 4145

(4) Otherwise has nexus with this state to an extent that the 4146

person can be required to remit the tax imposed under this chapter 4147
under the Constitution of the United States. 4148

(I) A person has "bright-line presence" in this state for a 4149
reporting period and for the remaining portion of the calendar 4150
year if any of the following applies. The person: 4151

(1) Has at any time during the calendar year property in this 4152
state with an aggregate value of at least fifty thousand dollars. 4153
For the purpose of division (I)(1) of this section, owned property 4154
is valued at original cost and rented property is valued at eight 4155
times the net annual rental charge. 4156

(2) Has during the calendar year payroll in this state of at 4157
least fifty thousand dollars. Payroll in this state includes all 4158
of the following: 4159

(a) Any amount subject to withholding by the person under 4160
section 5747.06 of the Revised Code; 4161

(b) Any other amount the person pays as compensation to an 4162
individual under the supervision or control of the person for work 4163
done in this state; and 4164

(c) Any amount the person pays for services performed in this 4165
state on its behalf by another. 4166

(3) Has during the calendar year taxable gross receipts of at 4167
least five hundred thousand dollars-; 4168

(4) Has at any time during the calendar year within this 4169
state at least twenty-five per cent of the person's total 4170
property, total payroll, or total gross receipts-; 4171

(5) Is domiciled in this state as an individual or for 4172
corporate, commercial, or other business purposes. 4173

(J) "Tangible personal property" has the same meaning as in 4174

section 5739.01 of the Revised Code. 4175

(K) "Internal Revenue Code" means the Internal Revenue Code 4176
of 1986, 100 Stat. 2085, 26 U.S.C. 1, as amended. Any term used in 4177
this chapter that is not otherwise defined has the same meaning as 4178
when used in a comparable context in the laws of the United States 4179
relating to federal income taxes unless a different meaning is 4180
clearly required. Any reference in this chapter to the Internal 4181
Revenue Code includes other laws of the United States relating to 4182
federal income taxes. 4183

(L) "Calendar quarter" means a three-month period ending on 4184
the thirty-first day of March, the thirtieth day of June, the 4185
thirtieth day of September, or the thirty-first day of December. 4186

(M) "Tax period" means the calendar quarter or calendar year 4187
on the basis of which a taxpayer is required to pay the tax 4188
imposed under this chapter. 4189

(N) "Calendar year taxpayer" means a taxpayer for which the 4190
tax period is a calendar year. 4191

(O) "Calendar quarter taxpayer" means a taxpayer for which 4192
the tax period is a calendar quarter. 4193

(P) "Agent" means a person authorized by another person to 4194
act on its behalf to undertake a transaction for the other, 4195
including any of the following: 4196

(1) A person receiving a fee to sell financial instruments; 4197

(2) A person retaining only a commission from a transaction 4198
with the other proceeds from the transaction being remitted to 4199
another person; 4200

(3) A person issuing licenses and permits under section 4201
1533.13 of the Revised Code; 4202

(4) A lottery sales agent holding a valid license issued under section 3770.05 of the Revised Code;	4203 4204
(5) A person acting as an agent of the division of liquor control under section 4301.17 of the Revised Code.	4205 4206
(Q) "Received" includes amounts accrued under the accrual method of accounting.	4207 4208
(R) "Reporting person" means a person in a consolidated elected taxpayer or combined taxpayer group that is designated by that group to legally bind the group for all filings and tax liabilities and to receive all legal notices with respect to matters under this chapter, or, for the purposes of section 5751.04 of the Revised Code, a separate taxpayer that is not a member of such a group.	4209 4210 4211 4212 4213 4214 4215
(S) "Megaproject," "megaproject operator," and "megaproject supplier" have the same meanings as in section 122.17 of the Revised Code.	4216 4217 4218
Section 130.____. That existing sections 128.01, 128.02, 128.021, 128.022, 128.03, 128.06, 128.07, 128.08, 128.12, 128.18, 128.22, 128.32, 128.34, 128.40, 128.42, 128.44, 128.45, 128.46, 128.461, 128.462, 128.47, 128.52, 128.54, 128.55, 128.57, 128.60, 128.63, 128.99, 149.43, 2913.01, 4776.20, 5703.052, 5733.55, and 5751.01 of the Revised Code are hereby repealed.	4219 4220 4221 4222 4223 4224
Section 130.____. That sections 128.04, 128.09, 128.15, 128.25, 128.26, 128.27, 128.571, 4742.01, 4742.02, 4742.03, 4742.04, 4742.05, 4742.06, and 4742.07 of the Revised Code are hereby repealed.	4225 4226 4227 4228
Section 130.____. Not later than twenty-four months after the effective date of this section, the 9-1-1 steering committee, in consultation with the Tax Commissioner, shall deliver a report to	4229 4230 4231

the General Assembly detailing any legislative recommendations to 4232
 address issues concerning the collection and use of the next 4233
 generation 9-1-1 access fees, including auditing carriers and 4234
 other companies subject to collect such fees. 4235

Section 130.____. Any monthly charge adopted and imposed on a 4236
 county's residents pursuant to sections 128.25 or 128.26 of the 4237
 Revised Code as those sections existed prior to the effective date 4238
 of this section are hereby terminated. 4239

Section 130.____. Section 149.43 of the Revised Code is 4240
 presented in this act as a composite of the section as amended by 4241
 H.B. 45, H.B. 99, H.B. 254, H.B. 343, H.B. 558, and S.B. 288, all 4242
 of the 134th General Assembly. The General Assembly, applying the 4243
 principle stated in division (B) of section 1.52 of the Revised 4244
 Code that amendments are to be harmonized and reconciled if 4245
 reasonably capable of simultaneous operation, finds that the 4246
 composite is the resulting version of the section in effect prior 4247
 to the effective date of the section as presented in this act." 4248

The motion was _____ agreed to.

SYNOPSIS

9-1-1 Steering Committee and definition changes 4249

R.C. 128.01 and 128.02 4250

Makes a number of changes to existing definitions governing 4251
 emergency services communications. 4252

Renames the "Emergency Services Internet Protocol Network 4253
 Steering Committee" to the "9-1-1 Steering Committee" (Steering 4254
 Committee) and does the following: 4255

--Requires the Steering Committee to advise and recommend policies or procedures to effectively govern a statewide next generation 9-1-1 (NG 9-1-1) system.	4256 4257 4258
--Requires each entity operating a public safety answering point (PSAP) to cooperate with the Steering Committee and provide them with certain data.	4259 4260 4261
--Makes other changes regarding Steering Committee and subcommittee operations.	4262 4263
Rules and guidelines	4264
R.C. 128.021 and 128.022	4265
Requires all PSAPs that answer 9-1-1 calls for service to be subject to the PSAP operation rules, with a two-year compliance window for PSAPs not originally subject to the rules to become compliant.	4266 4267 4268 4269
Requires the Steering Committee to establish guidelines for the Tax Commissioner regarding disbursing and using funds from the 9-1-1 Government Assistance Fund and the NG 9-1-1 fund.	4270 4271 4272
Requires the Steering Committee to periodically review and adjust the guidelines, and to report the changes to the Department of Taxation six months before they take effect.	4273 4274 4275
Countywide 9-1-1 system	4276
R.C. 128.02, 128.03, and 128.05	4277
Requires a countywide 9-1-1 system to include all of the territory of the townships and municipal corporations, including portions that extend into an adjacent county with no exception.	4278 4279 4280
Allows a countywide 9-1-1 system to be either an enhanced or NG 9-1-1 system, or some combination of the two, and must be designed to provide access to emergency services from all	4281 4282 4283

connected communications sources.	4284
Allows for a countywide 9-1-1 system to be provided directly	4285
by the county, by a regional council of governments (RCOG), or by	4286
connecting directly to the statewide NG 9-1-1 system for call	4287
routing and core services.	4288
Requires each county to appoint a county 9-1-1 coordinator to	4289
serve as the administrative coordinator for all PSAPs	4290
participating in a countywide 9-1-1 system, and to serve as	4291
liaison with other county coordinators and the 9-1-1 Program	4292
Office.	4293
Requires the entity operating a PSAP to provide the Steering	4294
Committee the geographic location and population of the area for	4295
which the entity is responsible.	4296
County 9-1-1 Program Review Committee	4297
R.C. 128.06	4298
Requires each county to maintain a county 9-1-1 Program	4299
Review Committee consisting of six voting members.	4300
Changes the provisions governing who may be members of the	4301
Review Committee.	4302
Requires the Review Committee to consist of five members in	4303
counties with five or less townships, containing more than one	4304
PSAP, and a population in excess of 750,000.	4305
Requires the Review Committee to consist of three members in	4306
counties that contain only one PSAP.	4307
Requires each Review Committee to maintain and amend a final	4308
plan for implementing and operating a countywide 9-1-1 system.	4309
Requires each Review Committee to convene at least once	4310
annually for the purposes of maintaining or amending a final plan	4311

and requires any amendment to the final plan to receive a two-thirds vote of the Committee. 4312
4313

Requires, not later than March 1 each year, each Review Committee to submit a report to the political subdivisions within the county and to the 9-1-1 Program Office detailing the sources and amounts of revenue expended to support, and all costs incurred to operate, the countywide 9-1-1 system. 4314
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4317
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Countywide final plan 4319

R.C. 128.07 and 128.12 4320

Makes various changes regarding countywide final plan, including changing the final plan requirements to: 4321
4322

--Specify how the PSAPs will be connected to a county's preferred NG 9-1-1 system, rather than a company's telephone network as in current law; 4323
4324
4325

--Require either enhanced 9-1-1 or NG 9-1-1 service, repealing the ability to allow basic 9-1-1 service to be provided. 4326
4327

--Detail how originating service providers must connect to the core 9-1-1 system identified by the final plan, and what methods will be used by the providers to communicate with the system; 4328
4329
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4331

--Describe the capability of transferring or otherwise relaying information to the entity that directly dispatches emergency services should a PSAP not properly dispatch the needed services; 4332
4333
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4335

--Explain how each emergency service provider (ESP) will respond to a misdirected call or a false caller location, or if the call fails to meet FCC or other accepted national standards. 4336
4337
4338

Requires, not later than six months after the bill's 4339

effective date, each county Review Committee to file a copy of its
 current final plan with the 9-1-1 Program Office and requires any
 revisions or amendments to be filed no later than 90 days after
 adoption.

Requires an amended final plan whenever there is an upgrade
 to the countywide 9-1-1 system, and whenever there is a change or
 removal of a 9-1-1 system service provider as a participant in the
 countywide 9-1-1 system.

Repeals the requirement that an entity wishing to be added as
 a participant in a 9-1-1 system to file a letter of intent to the
 board of county commissioners.

NG 9-1-1 core services system

R.C. 128.21

Requires the 9-1-1 Program Office to coordinate and manage a
 statewide NG 9-1-1 core services system, which must be capable of
 providing the following services:

--Providing 9-1-1 core services for all Ohio counties, over
 land and water;

--Routing all 9-1-1 traffic using location and policy-based
 routing to legacy enhanced 9-1-1, NG 9-1-1, and local NG 9-1-1
 PSAPs;

--Providing access to emergency services from all connected
 communications sources and provide multimedia data capabilities
 for PSAPs and other emergency service organizations.

Requires the Statewide Emergency Services Internet Protocol
 Network (ESINET) that supports the statewide NG 9-1-1 core
 services system to be capable of being shared by all public safety
 agencies.

Permits the ESINET, to be constructed from a mix of dedicated 4368
 and shared facilities, and may be interconnected with a local, 4369
 regional, state, federal, or international system to form an 4370
 internet-protocol-based internetwork, or network of networks. 4371

Ohio 9-1-1 plan 4372

R.C. 128.211 4373

Requires, not later than six months after the bill's 4374
 effective date, the 9-1-1 Program Office to draft, submit, or 4375
 update an Ohio 9-1-1 plan to the Steering Committee, which must 4376
 include the following: 4377

--A plan to address amendments made by the bill; 4378

--Specify details regarding interoperability among counties, 4379
 the states bordering Ohio, and Canada; 4380

--A progression plan for the system for sustainability within 4381
 the funding method provided by the bill. 4382

Requires the Steering Committee to make a determination on 4383
 approval of the plan within six months after it was submitted. 4384

Letter of coordination 4385

R.C. 128.212 4386

Requires any Ohio entity operating a 9-1-1 system, ESINET, or 4387
 PSAP and that pursues a state or federal 9-1-1 grant to present a 4388
 letter of coordination from the 9-1-1 Program Office, which must 4389
 state all of the following: 4390

--Who the entity is based on the type of system it operates; 4391

--The specific grantor identification; 4392

--The amount of the grant; 4393

--The intended use of the grant; 4394

--The system, equipment, software, or any component to be
procured with the grant; 4395
4396

--Ensuring the purpose of the grant does not inhibit,
conflict, or reduce interoperability with the NG 9-1-1 core 4397
services system and ESINET and is consistent with the Ohio 9-1-1 4398
plan. 4399
4400

State 9-1-1 Program Office powers 4401

R.C. 128.22 4402

Allows the 9-1-1 Program Office to do the following: 4403

--Expend funds from the 9-1-1 Program Fund for 9-1-1 public 4404
education purposes; 4405

--Ensure an effective statewide interconnected 9-1-1 system 4406
through coordination, adoption, and communication of all necessary 4407
standards and requirements; 4408

--Collect and distribute data from, and to, PSAPs, service 4409
providers, and ESPs regarding both the status and operation of the 4410
statewide 9-1-1 system, and certain location information; 4411

--Ensure that data collection and distribution meets legal 4412
privacy and confidentiality requirements; 4413

--With advice from the 9-1-1 Steering Committee, enter into 4414
various contracts to implement statewide 9-1-1 services. 4415

Data protection 4416

R.C. 128.221 4417

Protects all statewide 9-1-1 system data in accordance with 4418
relevant Ohio law and grants the Steering Committee jurisdiction 4419
over the use of that data for purposes of 9-1-1. 4420

Allows for data and information that contributes to more 4421

effective 9-1-1 services to be accessed and shared amongst 9-1-1 4422
and emergency response functions. 4423

Telecommunication service providers 4424

R.C 128.23 4425

Requires every telecommunication service provider able to 4426
generate 9-1-1 traffic to do the following: 4427

--Register with the 9-1-1 Program Office and provide the 4428
Program Office a single point of contact who has authority related 4429
to 9-1-1 location data; 4430

--Provide accurate and valid location data for all 9-1-1 4431
traffic to ensure proper routing to the most appropriate PSAP or 4432
local NG 9-1-1 system. 4433

Requires service providers to correct any discrepancy in 4434
location data within 72 hours if notified by the Program Office. 4435

Subjects all the data described above to all applicable 4436
privacy laws and exempts it from being a public record under the 4437
state public record laws. 4438

Multiline telephone systems 4439

R.C. 128.24 4440

Requires each operator of a multiline telephone system (MTS) 4441
that was installed or substantially renovated on or after the 4442
bill's effective date to do the following: 4443

--Provide the end user the same level of 9-1-1 service that 4444
is provided to other instate end users of 9-1-1, which includes 4445
legacy automatic number identification and automatic location 4446
identification (ALI) or NG 9-1-1 location data; 4447

--Provide an emergency-response-location identifier as part 4448

of the location transmission to the PSAP using legacy 4449
private-switch ALI or NG 9-1-1 methodologies; 4450

--Identify the caller's location using an emergency response 4451
location that includes the public street address of the building 4452
from which the call originated and other location data. 4453

--Provide locations that are either 4454
master-street-address-guide valid or NG 4455
9-1-1-location-validation-function valid. 4456

Business service user 4457

R.C. 128.241 and 128.242 4458

Requires, not later than one year after the bill's effective 4459
date, a business service user (BSU) that provides residential or 4460
business facilities, owns or controls a MTS or voice over internet 4461
protocol system (VOIP) in those facilities, and provides outbound 4462
dialing capacity from those facilities, to ensure the following: 4463

--For a MTS that can initiate a 9-1-1 call, the system is 4464
connected so a caller using 9-1-1 is connected to the PSAP without 4465
requiring the user to dial any additional digit or code; 4466

--The system is configured to provide notification of any 4467
9-1-1 call made through it to a centralized location on the same 4468
site as the system without the necessity of having a person 4469
available at the location to receive a notification. 4470

Exempts, for two years after the bill's effective date, a BSU 4471
from the requirements described above if all of the following 4472
apply: 4473

--The requirements would be unduly and unreasonably 4474
burdensome; 4475

--The MTS or VOIP needs to be reprogrammed or replaced; 4476

--The BSU made a good-faith attempt to reprogram or replace the system; 4477
4478

--The BSU agrees to place an instructional sticker next to the telephones that explain how to access 9-1-1 and other information. 4479
4480
4481

--Requires the BSU to submit an affidavit affirming that the conditions above apply and must include in the affidavit the manufacturer and model number of the system. 4482
4483
4484

Preemption 4485

R.C. 128.243 4486

Specifies that the provisions described above ("Multiline telephone systems" and "Business service user") do not to apply if they are preempted by, or in conflict with, federal law. 4487
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4489

County participation in statewide 9-1-1 operation 4490

R.C. 128.25 to 128.28 4491

Requires the following regarding participation in statewide 9-1-1: 4492
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--Counties must provide a single point of contact to the 9-1-1 Program Office that can assist in location-data discrepancies, 9-1-1 traffic misroutes, and boundary disputes between PSAPs; 4494
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--Requires, not later than five years after the statewide NG 9-1-1 Core Services System is operationally available to all counties, each county or RCOG, if applicable, to provide NG 9-1-1 service for all areas to be covered as set forth in the county's final plan or the RCOG's agreement; 4498
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4502

--Requires a service provider operating within a county, or an area served by a RCOG, that is participating in the statewide 4503
4504

NG 9-1-1 Core Services System, to deliver the 9-1-1 traffic that	4505
originates in that geographic area to the NG 9-1-1 core for that	4506
area;	4507
--Requires such service providers and counties to adhere to	4508
the standards of the 9-1-1 Program Office.	4509
Changes re: monthly charges	4510
*County 9-1-1 charges	4511
Section 130.____; Repeals R.C. 128.25 to 128.27	4512
Repeals the monthly charge boards of county commissioners may	4513
impose on telephone access lines to communication devices or	4514
services that meet certain requirements.	4515
Terminates any adopted and imposed monthly charge for	4516
telephone access lines imposed by a board of county commissioners.	4517
*Wireless 9-1-1 charges	4518
R.C. 128.42 (renumbered 128.40), 128.462, 128.47, and 128.52	4519
Terminates, three months after the bill's effective date, the	4520
wireless 9-1-1 charges imposed on both wireless service	4521
subscribers and customers, purchasing by retail sale, of prepaid	4522
wireless calling services.	4523
Exempts wireless lifeline service providers and subscribers	4524
from these charges prior to termination.	4525
*NG 9-1-1 access fee	4526
R.C. 128.41 to 128.418; Section 130.____	4527
Replaces the wireless 9-1-1 charge (described above) with the	4528
following NG 9-1-1 access fee imposed on certain communications	4529
services as follows: (1) a \$0.64 fee per service per month, for a	4530
two-year period, (2) a \$0.64 fee per service per month, or an	4531

alternate amount determined by the Steering Committee not more than \$0.02 higher than the previous year's fee, not to exceed \$0.64, and (3) a \$0.64 fee per service per month after the five-year period and beyond.

Allows the Steering Committee to raise the NG 9-1-1 access fee only if there are outstanding transitional costs associated with the NG 9-1-1 system and requires any action to increase the fee to be reported to the General Assembly.

Imposes the NG 9-1-1 access fee on each communications device or service for which a subscriber is billed.

Requires, for MTS, the fee must be paid with a separate fee per line, with a maximum of 200 separate fees per building for a single subscriber, and for VOIP, the subscriber must pay a separate fee for each voice channel provided to the subscriber, which is based on the number of outbound calls the subscriber can maintain at the same time using the system, but excludes a direct inward dialing number that routes an inbound call.

Exempts the following from the NG 9-1-1 access fee:

--A subscriber of wireless lifeline service;

--Wholesale transactions between telecommunications service providers where the service is a component of a service provided to an end user, as well as network access and interconnection charges paid to a local exchange carrier;

--Devices that solely rely on ancillary connection services for direct connection to the 9-1-1 system, excluding any devices capable of both direct and ancillary connection to the 9-1-1 system.

Requires service providers and resellers to collect the NG 9-1-1 access fee as a separate designated specific line item on

each subscriber's monthly bill or point of sale invoice.	4561
Requires the Steering Committee to submit a report to the	4562
General Assembly on the effectiveness of the NG 9-1-1 access fee	4563
not later than one year after the bill's effective date.	4564
Requires the Steering Committee to also submit a report to	4565
the General Assembly regarding a future amount for the 9-1-1	4566
access fee seven years after the access fee is first imposed.	4567
Requires, not later than 24 months after the bill's effective	4568
date, the Steering Committee, in conjunction with the Tax	4569
Commissioner, to deliver a report to the General Assembly	4570
detailing legislative recommendations concerning the collection	4571
and use of the NG 9-1-1 access fees.	4572
After the installation and operation of the statewide NG	4573
9-1-1 system for one year, requires the Steering Committee to	4574
monitor the accounts where the funds are generated from the NG	4575
9-1-1 access fee.	4576
Permits the Steering Committee to reduce the NG 9-1-1 access	4577
fee if it determines that the obligations of the funds can still	4578
be met to avoid over-collection of fees.	4579
Provides that, if the NG 9-1-1 access fee is reduced, the	4580
Steering Committee may increase the fee to a maximum rate of \$0.64	4581
to ensure adequate funding exists to meet the obligations of the	4582
funds.	4583
Requires the Steering Committee to notify the Tax	4584
Commissioner of any intent to adjust the fee not later than six	4585
months before the adjustment takes effect.	4586
*NG 9-1-1 access fee for prepaid wireless services	4587
R.C. 128.42, 128.421, 128.422, and 128.43	4588

Imposes a separate NG 9-1-1 access fee of .005% of the sale price of a prepaid wireless calling service for retail sales that occur in Ohio. 4589
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Requires the seller of the prepaid calling service to collect the NG 9-1-1 access fee from the customer and disclose the amount of the fee at the time of the retail sale. 4592
 4593
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Provides that the NG 9-1-1 access fee generally applies to the entire nonitemized price when a prepaid calling service is sold alongside other products or services for a single, nonitemized price. 4595
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Exempts the NG 9-1-1 access fee from state and local taxation. 4599
 4600

Administration of charges or fees 4601

R.C. 128.44, 128.45, and 128.45 (renumbered 128.451) 4602

Directs the Tax Commissioner to provide notice of increases or decreases in the NG 9-1-1 access fee to all known wireless service providers, resellers, and sellers of prepaid wireless calling services. 4603
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Instructs each entity required to collect the wireless 9-1-1 charge or NG 9-1-1 access fee to keep complete and accurate records relating to sales with respect to the charges and fees. 4607
 4608
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Requires all records kept by entities regarding wireless 9-1-1 charges and NG 9-1-1 access fees be open to inspection by the Tax Commissioner during business hours and generally retained for four years. 4610
 4611
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 4613

Collection of charges or fees 4614

R.C. 128.46 and 128.461 4615

Provides that NG 9-1-1 access fees are subject to the same 4616

collection processes and are subject to the same procedures as	4617
wireless 9-1-1 charges under current law.	4618
Removes the option of filing the required return using the	4619
Ohio Telefile system for the wireless 9-1-1 charges or NG 9-1-1	4620
access fee.	4621
Changes the name of the loose-leaf book that an appropriate	4622
court of common pleas clerk may enter judgement in following a	4623
final assessment against an entity regarding 9-1-1 charges and	4624
fees.	4625
9-1-1 funds and distribution of wireless 9-1-1 charges	4626
R.C. 128.54 and 128.99	4627
Removes "wireless" from the names of three of the four funds	4628
established to receive and distribute the charges imposed on	4629
sellers of wireless service to be the 9-1-1 Government Assistance	4630
Fund, 9-1-1 Administrative Fund, and the 9-1-1 Program Fund.	4631
Changes deposits into the 9-1-1 Government Assistance Fund to	4632
be 72% of the 9-1-1 charges and fees instead of the current 97%.	4633
Changes deposits into the NG 9-1-1 Fund to be (1) 25% of the	4634
9-1-1 charges and fees, (2) interest earned on the NG 9-1-1 Fund,	4635
(3) any excess remaining in the 9-1-1 Government Assistance Fund	4636
and transferred by the Tax Commissioner at the direction of the	4637
Steering Committee, (4) any fines recovered from a business	4638
service user regarding MTS system violations.	4639
Disbursements from the 9-1-1 funds	4640
R.C. 128.55	4641
Specifies that disbursements from the 9-1-1 Government	4642
Assistance Fund to each county treasurer must be made not later	4643
than the tenth day of the month succeeding the month in which the	4644

9-1-1 charges and fees are remitted. 4645

Requires the Department of Administrative Services to 4646
 administer the NG 9-1-1 Fund, which fund must be used exclusively 4647
 to pay costs of installing, maintaining, and operating the call 4648
 routing and core services statewide NG 9-1-1 system. 4649

Allowable uses of disbursements 4650

R.C. 128.57 4651

Extends existing allowable costs of designing, upgrading, 4652
 purchasing, leasing, programming, installing, testing, or 4653
 maintaining the necessary data, hardware, software, and trunking 4654
 required for PSAPs of the 9-1-1 system to the allowable costs for 4655
 the provision of NG 9-1-1. 4656

Adds, as allowable costs, the costs for processing 9-1-1 4657
 emergency calls from point of origin to include expenses for (1) 4658
 interoperable bidirectional computer aided dispatch data transfers 4659
 with other PSAPs or emergency services organizations and (2) law 4660
 enforcement, fire, and emergency medical service data transfers 4661
 via wireless or internet connections from PSAPs or emergency 4662
 services organizations. 4663

Requires all funds from the NG 9-1-1 access fee to be used 4664
 only for 9-1-1 related expenses. 4665

Tax Refund Fund 4666

R.C. 5703.052 4667

Includes NG 9-1-1 access fees among the fees and charges that 4668
 may be refunded from the state's Tax Refund Fund if illegally or 4669
 erroneously assessed, collected, or overpaid. 4670

Commercial Activity Tax 4671

R.C. 5751.01 4672

Specifies that receipts from NG 9-1-1 access fees imposed	4673
under the 9-1-1 provisions are not included as "gross receipts"	4674
under the commercial activity tax law.	4675
Civil liability	4676
R.C. 128.32 (renumbered 128.96)	4677
Extends protection from civil liability, with some	4678
exceptions, to 9-1-1 system service providers and their officers,	4679
directors, employees, agents, and suppliers for damages resulting	4680
from their 9-1-1 system duties or acts, or compliance with	4681
emergency-related information requests from state or local	4682
government officials.	4683
MTS penalties	4684
R.C. 128.99	4685
Imposes penalties ranging from \$1,000 to \$5,000 for a	4686
violation of, or a failure to meet, certain requirements regarding	4687
an MTS unless preempted or in conflict with federal law.	4688
Other provisions of law repealed	4689
R.C. 128.04, 128.06, 128.09, 128.15, 128.57, 128.571, 128.63,	4690
4742.01 to 4742.07	4691
Repeals provisions of law, including the provisions that:	4692
--Require each county to have a 9-1-1 technical advisory	4693
committee;	4694
--Allow a municipal corporation or township that contains at	4695
least 30% of the county's population, or a group of contiguous	4696
municipal corporations or townships, to establish, within their	4697
boundaries, a 9-1-1 system and to enter into an agreement with one	4698
or more telephone companies and repeals related provisions;	4699

--Require wireline service providers designated in a final 9-1-1 plan to install the wireline telephone network portion of the system within three years from the date the initial final plan and regarding the placement, maintenance, and design of county 9-1-1 system highway and road signs;

--With one exception, limit to three the number of PSAPs within a 9-1-1 system that may use disbursements from the Wireless 9-1-1 Government Assistance Fund;

--Require the amounts of the wireless 9-1-1 charges to be prescribed by the General Assembly;

--Establish provisions governing emergency service telecommunicators (ESTs), the training program, curriculum, certification process, and continuing education requirements for ESTs and certain training for ESTs, who are PSAP employees, when someone calls 9-1-1 about an apparent drug overdose.

--Certain limitations on allowable costs for wireless enhanced 9-1-1 and the requirement that a RCOG operating a PSAP must consider the technical and operational standards before incurring the designing, upgrading, purchasing, leasing, and other costs listed in ongoing law.

Conforming changes

R.C. 128.08, 128.40 (renumbered 128.20), 128.18 (renumbered to 128.33), 128.22 (renumbered 128.35), 128.34 (renumbered 128.98), 128.60, 149.43, 2913.01, 4776.20, and 5733.55

Makes conforming changes to the bill to reflect the changes made to 9-1-1 law.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 138 of the title, after "5103.6010," insert 1
"5104.02," 2

In line 551, after "5103.6010," insert "5104.02," 3

After line 79688, insert: 4

"**Sec. 5104.02.** (A) The director of job and family services is 5
responsible for licensing child day-care centers, type A family 6
day-care homes, and type B family day-care homes. Each entity 7
operating a head start program shall meet the criteria for, and be 8
licensed as, a child day-care center. The director is responsible 9
for the enforcement of this chapter and of rules promulgated 10
pursuant to this chapter. 11

No person, firm, organization, institution, or agency shall 12
operate, establish, manage, conduct, or maintain a child day-care 13
center or type A family day-care home without a license issued 14
under section 5104.03 of the Revised Code. The current license 15
shall be posted in the center or home in a conspicuous place that 16
is accessible to parents, custodians, or guardians and employees 17
of the center or home at all times when the center or home is in 18
operation. 19

(B) A person, firm, institution, organization, or agency 20

operating any of the following programs is exempt from the requirements of this chapter:

(1) A program caring for children that operates for two consecutive weeks or less and not more than six weeks total in each calendar year;

(2) Caring for children in places of worship during religious activities while at least one parent, guardian, or custodian of each child is participating in such activities and is readily available;

(3) Supervised training, instruction, or activities of children in specific areas, including, but not limited to: art; drama; dance; music; athletic skills or sports; computers; or an educational subject conducted on an organized or periodic basis that a child does not attend for more than eight total hours per week;

(4) Programs in which the director determines that at least one parent, custodian, or guardian of each child who is not an employee of the facility engaged in employment duties is on the premises of the facility that offers care and is readily accessible at all times;

(5) Programs that provide care and are regulated by state departments other than the department of job and family services or the state board of education.

(6) Any preschool program or school child program, except a head start program, that is subject to licensure by the department of education under sections 3301.52 to 3301.59 of the Revised Code.

(7) Any program providing care that meets all of the following requirements and, on October 20, 1987, was being

operated by a nonpublic school that holds a charter issued by the state board of education for kindergarten only: 50
51

(a) The nonpublic school has given the notice to the state board and the director of job and family services required by Section 4 of Substitute House Bill No. 253 of the 117th general assembly; 52
53
54
55

(b) The nonpublic school continues to be chartered by the state board for kindergarten, or receives and continues to hold a charter from the state board for kindergarten through grade five; 56
57
58

(c) The program is conducted in a school building; 59

(d) The program is operated in accordance with rules promulgated by the state board under section 3301.53 of the Revised Code. 60
61
62

(8) A youth development program operated outside of school hours to which all of the following apply: 63
64

(a) The children enrolled in the program are under nineteen years of age and enrolled in or eligible to be enrolled in a grade of kindergarten or above. 65
66
67

(b) The program provides informal care, which is care that does not require parental signature, permission, or notice for the child receiving the care to enter or leave the program. 68
69
70

(c) The program provides any of the following supervised activities: educational, recreational, culturally enriching, social, and personal development activities. 71
72
73

(d) The entity operating the program is exempt from federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3). 74
75

(9) A ~~preschool~~ program caring for children that is operated by a nonchartered, nontax-supported school if the ~~preschool~~ 76
77

program meets all of the following conditions: 78

(a) The program complies with state and local health, fire, 79
and safety laws. 80

(b) The program annually certifies in a report to the 81
children's parents ~~of its pupils~~ that the ~~school~~ program is in 82
compliance with division (B)(9)(a) of this section and files a 83
copy of the report with the department of job and family services 84
on or before the thirtieth day of September of each year. 85

(c) The program complies with all applicable reporting 86
requirements in the same manner as required by the state board of 87
education for nonchartered, nonpublic primary and secondary 88
schools. 89

(d) The program is associated with a nonchartered, 90
nontax-supported primary or secondary school. 91

(10) A program that provides activities for children who are 92
five years of age or older and is operated by a county, township, 93
municipal corporation, township park district created under 94
section 511.18 of the Revised Code, park district created under 95
section 1545.04 of the Revised Code, or joint recreation district 96
established under section 755.14 of the Revised Code." 97

In line 101332, after "5103.6010," insert "5104.02," 98

The motion was _____ agreed to.

SYNOPSIS

Child care licensure - exemption for programs operated by 99
nonchartered, nontax-supported schools 100

R.C. 5104.02 101

Replaces the child care licensure exemption for preschool 102
programs operated by nonchartered, nontax-supported schools with 103
one exempting all programs caring for children operated by such 104
schools. 105

Maintains existing law conditions that a nonchartered, 106
nontax-supported school must satisfy in order to be eligible for 107
the exemption, including compliance with health, fire, and safety 108
laws and current law reporting requirements. 109

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 43 of the title, after "2929.34," insert "2930.11," 1

In line 482, after "2929.34," insert "2930.11," 2

After line 29241, insert: 3

"**Sec. 2930.11.** (A) Except as otherwise provided in this 4
section or in Chapter 2981. of the Revised Code, the law 5
enforcement agency responsible for investigating a criminal 6
offense or delinquent act shall promptly return to the victim of 7
the criminal offense or delinquent act any property of the victim 8
that was taken in the course of the investigation, and the victim 9
shall not be compelled to pay any charge as a condition of 10
retrieving that property. In accordance with Criminal Rule 26 or 11
an applicable Juvenile Rule, the law enforcement agency may take 12
photographs of the property for use as evidence. If the ownership 13
of the property is in dispute, the agency shall not return the 14
property until the dispute is resolved. 15

(B) The law enforcement agency responsible for investigating 16
a criminal offense or delinquent act shall retain any property of 17
the victim of the criminal offense or delinquent act that is 18
needed as evidence in the case, including any weapon used in the 19
commission of the criminal offense or delinquent act, if the 20

prosecutor certifies to the court a need to retain the property in lieu of a photograph of the property or of another evidentiary substitute for the property itself, pursuant to Ohio Rules of Appellate Procedure.

(C) If the defendant or alleged juvenile offender in a case files a motion requesting the court to order the law enforcement agency to retain property of the victim because the property is needed for the defense in the case, the agency shall retain the property until the court rules on the motion. The court, in making a determination on the motion, shall weigh the victim's need for the property against the defendant's or alleged juvenile offender's assertion that the property has evidentiary value for the defense. The court shall rule on the motion in a timely fashion."

In line 101262, after "2929.34," insert "2930.11,"

The motion was _____ agreed to.

SYNOPSIS

Retrieval of victim's property after a crime 36

R.C. 2930.11 37

Prohibits a law enforcement agency responsible for investigating a crime from requiring a victim to pay any charge as a condition of retrieving any property of the victim that was taken in the course of the investigation.

_____ moved to amend as follows:

1 After line 154893, insert:

2 "Of the foregoing appropriation item 440672, Youth
3 Homelessness, \$900,000 in each fiscal year shall be distributed
4 to the Star House for its Drop-In Centers and its Carol Stewart
5 Village, or its other expansion projects, to provide services
6 for homeless youth."

7 In line 154894, after "The" insert "remainder of"; delete
8 "foregoing"

9 In line 156993, delete "\$95,389,000 \$95,389,000" and
10 insert "\$95,739,000 \$95,739,000"

11 In line 157002, add \$350,000 to each fiscal year

12 In line 157033, add \$350,000 to each fiscal year

13 After line 157176, insert:

14 "(O) Of the foregoing appropriation item 336421, Continuum
15 of Care Services, \$350,000 in each fiscal year shall be
16 distributed to the Star House for its Drop-In Centers and its
17 Carol Stewart Village, or its other expansion projects, to
18 provide services for homeless youth."

19 The motion was _____ agreed to.

20

SYNOPSIS

21

Department of Health

22

Sections 291.10 and 291.20

23

24

25

26

Earmarks \$900,000 in each fiscal year in GRF ALI 440672, Youth Homelessness, for the Star House for its Drop-In Centers and its Carol Stewart Village, or its other expansion projects, to provide services for homeless youth.

27

Department of Mental Health and Addiction Services

28

Sections 337.10 and 337.40

29

30

31

32

33

Increases GRF ALI 336421, Continuum of Care Services, by \$350,000 in each fiscal year. Earmarks these funds for the Star House for its Drop-In Centers and its Carol Stewart Village, or its other expansion projects, to provide services for homeless youth.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 151168, delete the first "\$9,150,000" and insert 1
"\$10,150,000" 2

In line 151181, add \$1,000,000 to fiscal year 2024 3

In line 151261, add \$1,000,000 to fiscal year 2024 4

After line 151275, insert: 5

"(A) Of the foregoing appropriation item 195405, Minority 6
Business Development, up to \$1,000,000 in fiscal year 2024 shall 7
be used to contract with an Ohio-based minority-, women-, or 8
veteran-owned research and consulting firm to conduct a study to 9
assess whether minority-, women-, and veteran-owned businesses 10
face any barriers to contracting with the state for goods and 11
services. The study shall focus on contracts awarded by the state 12
and state-supported educational institutions between July 1, 2017, 13
and June 30, 2022. 14

(B) The study shall examine: 15

(1) The percentage of contract dollars that state agencies 16
and state supported educational institutions spent with minority-, 17
women-, and veteran-owned businesses during the study period; 18

(2) The percentage of contract dollars that minority-, 19
women-, and veteran-owned businesses might be expected to receive 20

based on their ability to deliver the required performance under state contracts. 21
22

(C) The study shall also include qualitative and quantitative information related to all of the following: 23
24

(1) Legal considerations surrounding the implementation of the Minority Business Enterprise, Women-Owned Business Enterprise, and Veteran friendly Business Enterprise Programs; 25
26
27

(2) Marketplace conditions for minority-, women-, and veteran-owned businesses; 28
29

(3) Contracting policies and business assistance programs offered by the state and state-supported educational institutions; 30
31

(4) Recommendations to further encourage minority-, women-, and veteran-owned business participation in state contracts." 32
33

The motion was _____ agreed to.

SYNOPSIS

Department of Development 34

Sections 259.10 and 259.20 35

Increases appropriations under GRF ALI 195405, Minority Business Development, by \$1,000,000 in fiscal year 2024 and earmarks the increased amount to conduct a study to assess whether minority-, women-, and veteran-owned businesses face barriers to contracting with the state for goods and services. 36
37
38
39
40

Requires the study to examine (1) the percentage of contract dollars that state agencies and state supported educational institutions spent with minority-, women-, and veteran-owned 41
42
43

businesses during the study period, and (2) the percentage of 44
contract dollars that minority-, women-, and veteran-owned 45
businesses might be expected to receive based on their ability to 46
deliver the required performance under state contracts. Specifies 47
that the study should contain other qualitative and quantitative 48
information related to these issues and make recommendations to 49
increase participation of minority-, women-, and veteran-owned 50
businesses in state contracting. 51

Requires the DEV Director to contract with an Ohio-based 52
minority-, women-, or veteran-owned business to conduct the study. 53

_____ moved to amend as follows:

1 After line 151211a, insert:

2 "XXXX 195XXX Ohio Aviation \$2,500,000 \$2,500,000
3 Workforce Innovation Fund"

4 In line 151215, add \$2,500,000 to each fiscal year

5 In line 151261, add \$2,500,000 to each fiscal year

6 After line 151660, insert:

7 "OHIO AVIATION WORKFORCE INNOVATION FUND

8 The foregoing appropriation item 195XXX, Ohio Aviation
9 Workforce Innovation Fund, shall be used by the Department of
10 Development, in consultation with any other relevant state
11 agencies, to provide supplemental support for fees incurred by
12 students enrolled at state institutions of higher education as
13 defined in section 3345.011 of the Revised Code and private
14 nonprofit institutions of higher education holding certificates
15 of authorization under Chapter 1713. of the Revised Code that
16 offer manned fixed wing aviation programs.

17 The Director of Development, in consultation with any other
18 relevant state agencies, shall establish an application process
19 for state institutions of higher education and private nonprofit

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20 institutions of higher education to apply for the funds. To be
21 eligible for funds, state institutions of higher education and
22 private nonprofit institutions of higher education shall have an
23 established and accredited aviation program as of June 30, 2023.
24 The Director of Development shall require each applicant to
25 provide the cost per hour of flight the school is currently
26 charging, as well as other costs included in the total amount.

27 The foregoing appropriation item 195XXX, Ohio Aviation
28 Workforce Innovation Fund, shall be used to support the cost per
29 hour of flight currently being paid by students. Based on
30 available funds, the Department shall not reimburse more than
31 fifty per cent of the cost per hour. The appropriation item
32 shall only be used for direct costs incurred by enrolled
33 students including, but not limited to, fuel, maintenance, and
34 liability.

35 Not later than January 1, 2025, the Director of Development
36 shall submit a report to the Ohio General Assembly and the
37 Legislative Service Commission detailing the use of funds under
38 the appropriation item. The report shall include input from
39 other state agencies that were consulted. The report shall be
40 posted to the Department of Development web site."

41 In line 162611, delete "and"

42 In line 162613, after "(Fund 5ZR0)" insert "; and

43 (R) Up to \$5,000,000 cash to the Ohio Aviation Workforce
44 Innovation Fund (Fund XXXX), which is hereby created in the
45 state treasury"

46 The motion was _____ agreed to.

47 SYNOPSIS

48 **Department of Development**

49 **Sections 259.10 and 259.30**

50 Establishes appropriations of \$2,500,000 in both FY 2024
51 and FY 2025 under the Ohio Aviation Workforce Innovation Fund
52 (Fund XXXX) ALI 195XXX, Ohio Aviation Workforce Innovation Fund.

53 Requires the ALI to be used by DEV, in consultation with
54 other applicable state agencies, to provide supplemental support
55 for fees incurred by students enrolled at state institutions of
56 higher education and private nonprofit institutions of higher
57 education in the state that offer manned fixed wing aviation
58 programs.

59 Requires the DEV Director, in consultation with the other
60 applicable state agencies, to establish an application process
61 for state institutions of higher education and private nonprofit
62 institutions of higher education with established and accredited
63 aviation programs as of June 30, 2023, to apply for the funds.

64 Requires the ALI to only be used for direct costs incurred
65 by enrolled students including fuel, maintenance, and liability.

66 Requires the ALI to support the cost per hour of flight
67 currently being paid by students.

68 Requires the report to include input from other state
69 agencies that were consulted and that the report be posted to
70 DEV's web site.

71 **Fiscal year 2023 General Revenue Fund ending balance**

72 **Section 513.10**

73 Adds the Ohio Aviation Workforce Innovation Fund (Fund
74 XXXX) to the list of funds to receive cash transfers of GRF
75 surplus revenue that exists on June 30, 2023; transfers up to
76 \$5.0 million from this GRF surplus revenue to Fund XXXX.

Sub. H.B. 33
L-135-0001-3

_____ moved to amend as follows:

In line 162 of the title, after "5733.031," insert "5733.40," 1

In line 569, after "5733.031," insert "5733.40," 2

After line 93110, insert: 3

"**Sec. 5733.40.** As used in sections 5733.40 and 5733.41 and 4
Chapter 5747. of the Revised Code: 5

(A)(1) "Adjusted qualifying amount" means either of the 6
following: 7

(a) The sum of each qualifying investor's distributive share 8
of the income, gain, expense, or loss of a qualifying pass-through 9
entity for the qualifying taxable year of the qualifying 10
pass-through entity multiplied by the apportionment fraction 11
defined in division (B) of this section, subject to section 12
5733.401 of the Revised Code and divisions (A)(2) to (7) of this 13
section; 14

(b) The sum of each qualifying beneficiary's share of the 15
qualifying net income and qualifying net gain distributed by a 16
qualifying trust for the qualifying taxable year of the qualifying 17
trust multiplied by the apportionment fraction defined in division 18
(B) of this section, subject to section 5733.401 of the Revised 19
Code and divisions (A)(2) to (7) of this section. 20

(2) The sum shall exclude any amount which, pursuant to the Constitution of the United States, the Constitution of Ohio, or any federal law is not subject to a tax on or measured by net income.

(3) For the purposes of Chapters 5733. and 5747. of the Revised Code, the profit or net income of the qualifying entity shall be increased by disallowing all amounts representing expenses, other than amounts described in division (A)(7) of this section, that the qualifying entity paid to or incurred with respect to direct or indirect transactions with one or more related members, excluding the cost of goods sold calculated in accordance with section 263A of the Internal Revenue Code and United States department of the treasury regulations issued thereunder. Nothing in division (A)(3) of this section shall be construed to limit solely to this chapter the application of section 263A of the Internal Revenue Code and United States department of the treasury regulations issued thereunder.

(4) For the purposes of Chapters 5733. and 5747. of the Revised Code, the profit or net income of the qualifying entity shall be increased by disallowing all recognized losses, other than losses from sales of inventory the cost of which is calculated in accordance with section 263A of the Internal Revenue Code and United States department of the treasury regulations issued thereunder, with respect to all direct or indirect transactions with one or more related members. For the purposes of Chapters 5733. and 5747. of the Revised Code, losses from the sales of such inventory shall be allowed only to the extent calculated in accordance with section 482 of the Internal Revenue Code and United States department of the treasury regulations issued thereunder. Nothing in division (A)(4) of this section shall be construed to limit solely to this section the application

of section 263A and section 482 of the Internal Revenue Code and 52
 United States department of the treasury regulations issued 53
 thereunder. 54

(5) The sum shall be ~~increased or~~ decreased by an amount 55
 equal to the qualifying investor's or qualifying beneficiary's 56
 distributive or proportionate share of the amount that the 57
 qualifying entity would be ~~required~~ allowed to ~~add or~~ deduct under 58
~~divisions (A)(17) and (18)~~ division (A)(18) of section 5747.01 of 59
 the Revised Code if the qualifying entity were a taxpayer for the 60
 purposes of Chapter 5747. of the Revised Code. 61

(6) The sum shall be computed without regard to section 62
 5733.051 or division (D) of section 5733.052 of the Revised Code. 63

(7) For the purposes of Chapters 5733. and 5747. of the 64
 Revised Code, guaranteed payments or compensation paid to 65
 investors by a qualifying entity that is not subject to the tax 66
 imposed by section 5733.06 of the Revised Code shall be considered 67
 a distributive share of income of the qualifying entity. Division 68
 (A)(7) of this section applies only to such payments or such 69
 compensation paid to an investor who at any time during the 70
 qualifying entity's taxable year holds at least a twenty per cent 71
 direct or indirect interest in the profits or capital of the 72
 qualifying entity. For the purposes of this division, guaranteed 73
 payments and compensation shall be considered to be paid to an 74
 investor by a qualifying entity if the qualifying entity in which 75
 the investor holds at least a twenty per cent direct or indirect 76
 interest is a client employer of a professional employer 77
 organization or alternate employer organization, as those terms 78
 are defined in section 4125.01 or 4133.01 of the Revised Code, as 79
 applicable, and the guaranteed payments or compensation are paid 80
 to the investor by that professional employer organization or 81

alternate employer organization. 82

(B) "Apportionment fraction" means: 83

(1) With respect to a qualifying pass-through entity other than a financial institution, the fraction calculated pursuant to division (B)(2) of section 5733.05 of the Revised Code as if the qualifying pass-through entity were a corporation subject to the tax imposed by section 5733.06 of the Revised Code; 84-88

(2) With respect to a qualifying pass-through entity that is a financial institution, the fraction calculated pursuant to division (C) of section 5733.056 of the Revised Code as if the qualifying pass-through entity were a financial institution subject to the tax imposed by section 5733.06 of the Revised Code; 89-93

(3) With respect to a qualifying trust, the fraction calculated pursuant to division (B)(2) of section 5733.05 of the Revised Code as if the qualifying trust were a corporation subject to the tax imposed by section 5733.06 of the Revised Code, except that the property, payroll, and sales fractions shall be calculated by including in the numerator and denominator of the fractions only the property, payroll, and sales, respectively, directly related to the production of income or gain from acquisition, ownership, use, maintenance, management, or disposition of tangible personal property located in this state at any time during the qualifying trust's qualifying taxable year or of real property located in this state. 94-105

(C) "Qualifying beneficiary" means any individual that, during the qualifying taxable year of a qualifying trust, is a beneficiary of that trust, but does not include an individual who is a resident taxpayer for the purposes of Chapter 5747. of the Revised Code for the entire qualifying taxable year of the qualifying trust. 106-111

(D) "Fiscal year" means an accounting period ending on any day other than the thirty-first day of December. 112
113

(E) "Individual" means a natural person. 114

(F) "Month" means a calendar month. 115

(G) "Distributive share" includes the sum of the income, gain, expense, or loss of a disregarded entity or qualified subchapter S subsidiary. 116
117
118

(H) "Investor" means any person that, during any portion of a taxable year of a qualifying pass-through entity, is a partner, member, shareholder, or investor in that qualifying pass-through entity. 119
120
121
122

(I) Except as otherwise provided in section 5733.402 or 5747.401 of the Revised Code, "qualifying investor" means any investor except those described in divisions (I)(1) to (9) of this section. 123
124
125
126

(1) An investor satisfying one of the descriptions under section 501(a) or (c) of the Internal Revenue Code, a partnership with equity securities registered with the United States securities and exchange commission under section 12 of the "Securities Exchange Act of 1934," as amended, or an investor described in division (F) of section 3334.01, or division (A) or (C) of section 5733.09 of the Revised Code for the entire qualifying taxable year of the qualifying pass-through entity. 127
128
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(2) An investor who is either an individual or an estate and is a resident taxpayer for the purposes of section 5747.01 of the Revised Code for the entire qualifying taxable year of the qualifying pass-through entity. 135
136
137
138

(3) An investor who is an individual for whom the qualifying pass-through entity makes a good faith and reasonable effort to 139
140

comply fully and timely with the filing and payment requirements 141
 set forth in division (D) of section 5747.08 of the Revised Code 142
 and section 5747.09 of the Revised Code with respect to the 143
 individual's adjusted qualifying amount for the entire qualifying 144
 taxable year of the qualifying pass-through entity. 145

(4) An investor that is another qualifying pass-through 146
 entity having only investors described in division (I)(1), (2), 147
 (3), or (6) of this section during the three-year period beginning 148
 twelve months prior to the first day of the qualifying taxable 149
 year of the qualifying pass-through entity. 150

(5) An investor that is another pass-through entity having no 151
 investors other than individuals and estates during the qualifying 152
 taxable year of the qualifying pass-through entity in which it is 153
 an investor, and that makes a good faith and reasonable effort to 154
 comply fully and timely with the filing and payment requirements 155
 set forth in division (D) of section 5747.08 of the Revised Code 156
 and section 5747.09 of the Revised Code with respect to investors 157
 that are not resident taxpayers of this state for the purposes of 158
 Chapter 5747. of the Revised Code for the entire qualifying 159
 taxable year of the qualifying pass-through entity in which it is 160
 an investor. 161

(6) An investor that is treated as a C corporation for 162
 federal income tax purposes for the entire qualifying taxable year 163
 of the qualifying pass-through entity in which it is an investor. 164

(7) An investor other than an individual that satisfies all 165
 the following: 166

(a) The investor submits a written statement to the 167
 qualifying pass-through entity stating that the investor 168
 irrevocably agrees that the investor has nexus with this state 169
 under the Constitution of the United States and is subject to and 170

liable for the tax calculated under division (A) or (B) of section 171
 5733.06 of the Revised Code with respect to the investor's 172
 adjusted qualifying amount for the entire qualifying taxable year 173
 of the qualifying pass-through entity. The statement is subject to 174
 the penalties of perjury, shall be retained by the qualifying 175
 pass-through entity for no fewer than seven years, and shall be 176
 delivered to the tax commissioner upon request. 177

(b) The investor makes a good faith and reasonable effort to 178
 comply timely and fully with all the reporting and payment 179
 requirements set forth in Chapter 5733. of the Revised Code with 180
 respect to the investor's adjusted qualifying amount for the 181
 entire qualifying taxable year of the qualifying pass-through 182
 entity. 183

(c) Neither the investor nor the qualifying pass-through 184
 entity in which it is an investor, before, during, or after the 185
 qualifying pass-through entity's qualifying taxable year, carries 186
 out any transaction or transactions with one or more related 187
 members of the investor or the qualifying pass-through entity 188
 resulting in a reduction or deferral of tax imposed by Chapter 189
 5733. of the Revised Code with respect to all or any portion of 190
 the investor's adjusted qualifying amount for the qualifying 191
 pass-through entity's taxable year, or that constitute a sham, 192
 lack economic reality, or are part of a series of transactions the 193
 form of which constitutes a step transaction or transactions or 194
 does not reflect the substance of those transactions. 195

(8) Any other investor that the tax commissioner may 196
 designate by rule. The tax commissioner may adopt rules including 197
 a rule defining "qualifying investor" or "qualifying beneficiary" 198
 and governing the imposition of the withholding tax imposed by 199
 section 5747.41 of the Revised Code with respect to an individual 200

who is a resident taxpayer for the purposes of Chapter 5747. of 201
the Revised Code for only a portion of the qualifying taxable year 202
of the qualifying entity. 203

(9) An investor that is a trust or fund the beneficiaries of 204
which, during the qualifying taxable year of the qualifying 205
pass-through entity, are limited to the following: 206

(a) A person that is or may be the beneficiary of a trust 207
subject to Subchapter D of Chapter 1 of Subtitle A of the Internal 208
Revenue Code. 209

(b) A person that is or may be the beneficiary of or the 210
recipient of payments from a trust or fund that is a nuclear 211
decommissioning reserve fund, a designated settlement fund, or any 212
other trust or fund established to resolve and satisfy claims that 213
may otherwise be asserted by the beneficiary or a member of the 214
beneficiary's family. Sections 267(c)(4), 468A(e), and 468B(d)(2) 215
of the Internal Revenue Code apply to the determination of whether 216
such a person satisfies division (I)(9) of this section. 217

(c) A person who is or may be the beneficiary of a trust 218
that, under its governing instrument, is not required to 219
distribute all of its income currently. Division (I)(9)(c) of this 220
section applies only if the trust, prior to the due date for 221
filing the qualifying pass-through entity's return for taxes 222
imposed by section 5733.41 and sections 5747.41 to 5747.453 of the 223
Revised Code, irrevocably agrees in writing that for the taxable 224
year during or for which the trust distributes any of its income 225
to any of its beneficiaries, the trust is a qualifying trust and 226
will pay the estimated tax, and will withhold and pay the withheld 227
tax, as required under sections 5747.40 to 5747.453 of the Revised 228
Code. 229

For the purposes of division (I)(9) of this section, a trust 230

or fund shall be considered to have a beneficiary other than 231
 persons described under divisions (I)(9)(a) to (c) of this section 232
 if a beneficiary would not qualify under those divisions under the 233
 doctrines of "economic reality," "sham transaction," "step 234
 doctrine," or "substance over form." A trust or fund described in 235
 division (I)(9) of this section bears the burden of establishing 236
 by a preponderance of the evidence that any transaction giving 237
 rise to the tax benefits provided under division (I)(9) of this 238
 section does not have as a principal purpose a claim of those tax 239
 benefits. Nothing in this section shall be construed to limit 240
 solely to this section the application of the doctrines referred 241
 to in this paragraph. 242

(J) "Qualifying net gain" means any recognized net gain with 243
 respect to the acquisition, ownership, use, maintenance, 244
 management, or disposition of tangible personal property located 245
 in this state at any time during a trust's qualifying taxable year 246
 or real property located in this state. 247

(K) "Qualifying net income" means any recognized income, net 248
 of related deductible expenses, other than distributions 249
 deductions with respect to the acquisition, ownership, use, 250
 maintenance, management, or disposition of tangible personal 251
 property located in this state at any time during the trust's 252
 qualifying taxable year or real property located in this state. 253

(L) "Qualifying entity" means a qualifying pass-through 254
 entity or a qualifying trust. 255

(M) "Qualifying trust" means a trust subject to subchapter J 256
 of the Internal Revenue Code that, during any portion of the 257
 trust's qualifying taxable year, has income or gain from the 258
 acquisition, management, ownership, use, or disposition of 259
 tangible personal property located in this state at any time 260

during the trust's qualifying taxable year or real property 261
 located in this state. "Qualifying trust" does not include a 262
 person described in section 501(c) of the Internal Revenue Code or 263
 a person described in division (C) of section 5733.09 of the 264
 Revised Code. 265

(N) "Qualifying pass-through entity" means a pass-through 266
 entity as defined in section 5733.04 of the Revised Code, 267
 excluding: a person described in section 501(c) of the Internal 268
 Revenue Code; a partnership with equity securities registered with 269
 the United States securities and exchange commission under section 270
 12 of the Securities Exchange Act of 1934, as amended; or a person 271
 described in division (C) of section 5733.09 of the Revised Code. 272

(O) "Quarter" means the first three months, the second three 273
 months, the third three months, or the last three months of a 274
 qualifying entity's qualifying taxable year. 275

(P) "Related member" has the same meaning as in division 276
 (A)(6) of section 5733.042 of the Revised Code without regard to 277
 division (B) of that section. However, for the purposes of 278
 divisions (A)(3) and (4) of this section only, "related member" 279
 has the same meaning as in division (A)(6) of section 5733.042 of 280
 the Revised Code without regard to division (B) of that section, 281
 but shall be applied by substituting "forty per cent" for "twenty 282
 per cent" wherever "twenty per cent" appears in division (A) of 283
 that section. 284

(Q) "Return" or "report" means the notifications and reports 285
 required to be filed pursuant to sections 5747.42 to 5747.45 of 286
 the Revised Code for the purpose of reporting the tax imposed 287
 under section 5733.41 or 5747.41 of the Revised Code, and included 288
 declarations of estimated tax when so required. 289

(R) "Qualifying taxable year" means the calendar year or the 290

qualifying entity's fiscal year ending during the calendar year, 291
 or fractional part thereof, for which the adjusted qualifying 292
 amount is calculated pursuant to sections 5733.40 and 5733.41 or 293
 sections 5747.40 to 5747.453 of the Revised Code." 294

Delete lines 97456 through 98497 and insert: 295

"**Sec. 5747.01.** Except as otherwise expressly provided or 296
 clearly appearing from the context, any term used in this chapter 297
 that is not otherwise defined in this section has the same meaning 298
 as when used in a comparable context in the laws of the United 299
 States relating to federal income taxes or if not used in a 300
 comparable context in those laws, has the same meaning as in 301
 section 5733.40 of the Revised Code. Any reference in this chapter 302
 to the Internal Revenue Code includes other laws of the United 303
 States relating to federal income taxes. 304

As used in this chapter: 305

(A) "Adjusted gross income" or "Ohio adjusted gross income" 306
 means federal adjusted gross income, as defined and used in the 307
 Internal Revenue Code, adjusted as provided in this section: 308

(1) Add interest or dividends on obligations or securities of 309
 any state or of any political subdivision or authority of any 310
 state, other than this state and its subdivisions and authorities. 311

(2) Add interest or dividends on obligations of any 312
 authority, commission, instrumentality, territory, or possession 313
 of the United States to the extent that the interest or dividends 314
 are exempt from federal income taxes but not from state income 315
 taxes. 316

(3) Deduct interest or dividends on obligations of the United 317
 States and its territories and possessions or of any authority, 318

commission, or instrumentality of the United States to the extent 319
 that the interest or dividends are included in federal adjusted 320
 gross income but exempt from state income taxes under the laws of 321
 the United States. 322

(4) Deduct disability and survivor's benefits to the extent 323
 included in federal adjusted gross income. 324

(5) Deduct the following, to the extent not otherwise 325
 deducted or excluded in computing federal or Ohio adjusted gross 326
 income: 327

(a) Benefits under Title II of the Social Security Act and 328
 tier 1 railroad retirement; 329

(b) Railroad retirement benefits, other than tier 1 railroad 330
 retirement benefits, to the extent such amounts are exempt from 331
 state taxation under federal law. 332

(6) Deduct the amount of wages and salaries, if any, not 333
 otherwise allowable as a deduction but that would have been 334
 allowable as a deduction in computing federal adjusted gross 335
 income for the taxable year, had the work opportunity tax credit 336
 allowed and determined under sections 38, 51, and 52 of the 337
 Internal Revenue Code not been in effect. 338

(7) Deduct any interest or interest equivalent on public 339
 obligations and purchase obligations to the extent that the 340
 interest or interest equivalent is included in federal adjusted 341
 gross income. 342

(8) Add any loss or deduct any gain resulting from the sale, 343
 exchange, or other disposition of public obligations to the extent 344
 that the loss has been deducted or the gain has been included in 345
 computing federal adjusted gross income. 346

(9) Deduct or add amounts, as provided under section 5747.70 347

of the Revised Code, related to contributions made to or tuition 348
 units purchased under a qualified tuition program established 349
 pursuant to section 529 of the Internal Revenue Code. 350

(10)(a) Deduct, to the extent not otherwise allowable as a 351
 deduction or exclusion in computing federal or Ohio adjusted gross 352
 income for the taxable year, the amount the taxpayer paid during 353
 the taxable year for medical care insurance and qualified 354
 long-term care insurance for the taxpayer, the taxpayer's spouse, 355
 and dependents. No deduction for medical care insurance under 356
 division (A)(10)(a) of this section shall be allowed either to any 357
 taxpayer who is eligible to participate in any subsidized health 358
 plan maintained by any employer of the taxpayer or of the 359
 taxpayer's spouse, or to any taxpayer who is entitled to, or on 360
 application would be entitled to, benefits under part A of Title 361
 XVIII of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 362
 301, as amended. For the purposes of division (A)(10)(a) of this 363
 section, "subsidized health plan" means a health plan for which 364
 the employer pays any portion of the plan's cost. The deduction 365
 allowed under division (A)(10)(a) of this section shall be the net 366
 of any related premium refunds, related premium reimbursements, or 367
 related insurance premium dividends received during the taxable 368
 year. 369

(b) Deduct, to the extent not otherwise deducted or excluded 370
 in computing federal or Ohio adjusted gross income during the 371
 taxable year, the amount the taxpayer paid during the taxable 372
 year, not compensated for by any insurance or otherwise, for 373
 medical care of the taxpayer, the taxpayer's spouse, and 374
 dependents, to the extent the expenses exceed seven and one-half 375
 per cent of the taxpayer's federal adjusted gross income. 376

(c) For purposes of division (A)(10) of this section, 377

"medical care" has the meaning given in section 213 of the Internal Revenue Code, subject to the special rules, limitations, and exclusions set forth therein, and "qualified long-term care" has the same meaning given in section 7702B(c) of the Internal Revenue Code. Solely for purposes of division (A)(10)(a) of this section, "dependent" includes a person who otherwise would be a "qualifying relative" and thus a "dependent" under section 152 of the Internal Revenue Code but for the fact that the person fails to meet the income and support limitations under section 152(d)(1)(B) and (C) of the Internal Revenue Code.

(11)(a) Deduct any amount included in federal adjusted gross income solely because the amount represents a reimbursement or refund of expenses that in any year the taxpayer had deducted as an itemized deduction pursuant to section 63 of the Internal Revenue Code and applicable United States department of the treasury regulations. The deduction otherwise allowed under division (A)(11)(a) of this section shall be reduced to the extent the reimbursement is attributable to an amount the taxpayer deducted under this section in any taxable year.

(b) Add any amount not otherwise included in Ohio adjusted gross income for any taxable year to the extent that the amount is attributable to the recovery during the taxable year of any amount deducted or excluded in computing federal or Ohio adjusted gross income in any taxable year.

(12) Deduct any portion of the deduction described in section 1341(a)(2) of the Internal Revenue Code, for repaying previously reported income received under a claim of right, that meets both of the following requirements:

(a) It is allowable for repayment of an item that was included in the taxpayer's adjusted gross income for a prior

taxable year and did not qualify for a credit under division (A) 408
or (B) of section 5747.05 of the Revised Code for that year; 409

(b) It does not otherwise reduce the taxpayer's adjusted 410
gross income for the current or any other taxable year. 411

(13) Deduct an amount equal to the deposits made to, and net 412
investment earnings of, a medical savings account during the 413
taxable year, in accordance with section 3924.66 of the Revised 414
Code. The deduction allowed by division (A)(13) of this section 415
does not apply to medical savings account deposits and earnings 416
otherwise deducted or excluded for the current or any other 417
taxable year from the taxpayer's federal adjusted gross income. 418

(14)(a) Add an amount equal to the funds withdrawn from a 419
medical savings account during the taxable year, and the net 420
investment earnings on those funds, when the funds withdrawn were 421
used for any purpose other than to reimburse an account holder 422
for, or to pay, eligible medical expenses, in accordance with 423
section 3924.66 of the Revised Code; 424

(b) Add the amounts distributed from a medical savings 425
account under division (A)(2) of section 3924.68 of the Revised 426
Code during the taxable year. 427

(15) Add any amount claimed as a credit under section 428
5747.059 of the Revised Code to the extent that such amount 429
satisfies either of the following: 430

(a) The amount was deducted or excluded from the computation 431
of the taxpayer's federal adjusted gross income as required to be 432
reported for the taxpayer's taxable year under the Internal 433
Revenue Code; 434

(b) The amount resulted in a reduction of the taxpayer's 435
federal adjusted gross income as required to be reported for any 436

of the taxpayer's taxable years under the Internal Revenue Code. 437

(16) Deduct the amount contributed by the taxpayer to an 438
 individual development account program established by a county 439
 department of job and family services pursuant to sections 329.11 440
 to 329.14 of the Revised Code for the purpose of matching funds 441
 deposited by program participants. On request of the tax 442
 commissioner, the taxpayer shall provide any information that, in 443
 the tax commissioner's opinion, is necessary to establish the 444
 amount deducted under division (A)(16) of this section. 445

~~(17)(a)(i) Subject to divisions (A)(17)(a)(iii), (iv), and 446
 (v) of this section, add five sixths of the amount of depreciation 447
 expense allowed by subsection (k) of section 168 of the Internal 448
 Revenue Code, including the taxpayer's proportionate or 449
 distributive share of the amount of depreciation expense allowed 450
 by that subsection to a pass through entity in which the taxpayer 451
 has a direct or indirect ownership interest. 452~~

~~(ii) Subject to divisions (A)(17)(a)(iii), (iv), and (v) of 453
 this section, add five sixths of the amount of qualifying section 454
 179 depreciation expense, including the taxpayer's proportionate 455
 or distributive share of the amount of qualifying section 179 456
 depreciation expense allowed to any pass through entity in which 457
 the taxpayer has a direct or indirect ownership interest. 458~~

~~(iii) Subject to division (A)(17)(a)(v) of this section, for 459
 taxable years beginning in 2012 or thereafter, if the increase in 460
 income taxes withheld by the taxpayer is equal to or greater than 461
 ten per cent of income taxes withheld by the taxpayer during the 462
 taxpayer's immediately preceding taxable year, "two thirds" shall 463
 be substituted for "five sixths" for the purpose of divisions 464
 (A)(17)(a)(i) and (ii) of this section. 465~~

~~(iv) Subject to division (A)(17)(a)(v) of this section, for 466~~

~~taxable years beginning in 2012 or thereafter, a taxpayer is not
 required to add an amount under division (A)(17) of this section
 if the increase in income taxes withheld by the taxpayer and by
 any pass through entity in which the taxpayer has a direct or
 indirect ownership interest is equal to or greater than the sum of
 (I) the amount of qualifying section 179 depreciation expense and
 (II) the amount of depreciation expense allowed to the taxpayer by
 subsection (k) of section 168 of the Internal Revenue Code, and
 including the taxpayer's proportionate or distributive shares of
 such amounts allowed to any such pass through entities.~~

~~(v) If a taxpayer directly or indirectly incurs a net
 operating loss for the taxable year for federal income tax
 purposes, to the extent such loss resulted from depreciation
 expense allowed by subsection (k) of section 168 of the Internal
 Revenue Code and by qualifying section 179 depreciation expense,
 "the entire" shall be substituted for "five sixths of the" for the
 purpose of divisions (A)(17)(a)(i) and (ii) of this section.~~

~~The tax commissioner, under procedures established by the
 commissioner, may waive the add backs related to a pass through
 entity if the taxpayer owns, directly or indirectly, less than
 five per cent of the pass through entity.~~

~~(b) Nothing in division (A)(17) of this section shall be
 construed to adjust or modify the adjusted basis of any asset.~~

~~(c) To the extent the add back required under division
 (A)(17)(a) of this section is attributable to property generating
 nonbusiness income or loss allocated under section 5747.20 of the
 Revised Code, the add back shall be situated to the same location
 as the nonbusiness income or loss generated by the property for
 the purpose of determining the credit under division (A) of
 section 5747.05 of the Revised Code. Otherwise, the add back shall~~

be apportioned, subject to one or more of the four alternative 497
 methods of apportionment enumerated in section 5747.21 of the 498
 Revised Code. 499

~~(d) For the purposes of division (A)(17)(a)(v) of this 500
 section, net operating loss carryback and carryforward shall not 501
 include the allowance of any net operating loss deduction 502
 carryback or carryforward to the taxable year to the extent such 503
 loss resulted from depreciation allowed by section 168(k) of the 504
 Internal Revenue Code and by the qualifying section 179 505
 depreciation expense amount. 506~~

~~(e) For the purposes of divisions (A)(17) and (18) of this 507
 section: 508~~

~~(i) "Income taxes withheld" means the total amount withheld 509
 and remitted under sections 5747.06 and 5747.07 of the Revised 510
 Code by an employer during the employer's taxable year. 511~~

~~(ii) "Increase in income taxes withheld" means the amount by 512
 which the amount of income taxes withheld by an employer during 513
 the employer's current taxable year exceeds the amount of income 514
 taxes withheld by that employer during the employer's immediately 515
 preceding taxable year. 516~~

~~(iii) "Qualifying section 179 depreciation expense" means the 517
 difference between (I) the amount of depreciation expense directly 518
 or indirectly allowed to a taxpayer under section 179 of the 519
 Internal Revised Code, and (II) the amount of depreciation expense 520
 directly or indirectly allowed to the taxpayer under section 179 521
 of the Internal Revenue Code as that section existed on December 522
 31, 2002. 523~~

(17) Deduct, to the extent included in federal adjusted gross 524
 income, income attributable to loan repayments on behalf of the 525

taxpayer under the rural practice incentive program under section 3333.135 of the Revised Code. 526
527

(18)(a) If, in computing the taxpayer's Ohio adjusted gross income for a taxable year beginning before January 1, 2023, the taxpayer was required to add ~~an amount~~ back a depreciation expense allowed under ~~division (A)(17)(a) of this section for a taxable year subsection (k) of section 168 or section 179 of the Internal Revenue Code,~~ deduct one of the following: 528
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533

(i) One-fifth of the amount so added for each of the five succeeding taxable years if the amount so added was five-sixths of qualifying section 179 depreciation expense or depreciation expense allowed by subsection (k) of section 168 of the Internal Revenue Code; 534
535
536
537
538

(ii) One-half of the amount so added for each of the two succeeding taxable years if the amount so added was two-thirds of such depreciation expense; 539
540
541

(iii) One-sixth of the amount so added for each of the six succeeding taxable years if the entire amount of such depreciation expense was so added. 542
543
544

(b) If the amount deducted under division (A)(18)(a) of this section is attributable to an add-back ~~allocated under division (A)(17)(e) of this section that is attributable to property generating nonbusiness income or loss allocated under section 5747.20 of the Revised Code,~~ the amount deducted shall be sitused to the same location as the add-back. Otherwise, the add-back shall be apportioned using the apportionment factors for the taxable year in which the deduction is taken, subject to one or more of the four alternative methods of apportionment enumerated in section 5747.21 of the Revised Code. 545
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(c) No deduction is available under division (A)(18)(a) of this section with regard to any depreciation allowed by section 168(k) of the Internal Revenue Code and by the qualifying section 179 depreciation expense amount to the extent that such depreciation results in or increases a federal net operating loss carryback or carryforward. If no such deduction is available for a taxable year, the taxpayer may carry forward the amount not deducted in such taxable year to the next taxable year and add that amount to any deduction otherwise available under division (A)(18)(a) of this section for that next taxable year. The carryforward of amounts not so deducted shall continue until the entire ~~addition required by division (A)(17)(a) of this section~~ amount added back for taxable years beginning before January 1, 2023, has been deducted.

(d) Notwithstanding division (A)(18)(a) or (c) of this section, for taxable years beginning in 2023 or thereafter, a taxpayer that was required to add back a depreciation expense in computing the taxpayer's Ohio adjusted gross income for a taxable year beginning before January 1, 2023, may elect to deduct the entire amount so added, less any amount already deducted under this section in any preceding taxable year with respect to that depreciation expense. The taxpayer shall make the election on the annual return filed for the first taxable year beginning after January 1, 2023, for which the taxpayer files a return, and the election shall be irrevocable after the due date plus extensions, if any, for filing that return.

(e) Nothing in division (A)(18) of this section shall be construed to allow a taxpayer to deduct any amount that, under this section as it existed before the effective date of this amendment, the taxpayer would not have been eligible to deduct for a taxable year beginning on or after January 1, 2023.

(f) As used in division (A)(18) of this section, "qualifying section 179 depreciation expense" means the difference between (I) the amount of depreciation expense directly or indirectly allowed to a taxpayer under section 179 of the Internal Revenue Code, and (II) the amount of depreciation expense directly or indirectly allowed to the taxpayer under section 179 of the Internal Revenue Code as that section existed on December 31, 2002.

(19) Deduct, to the extent not otherwise deducted or excluded in computing federal or Ohio adjusted gross income for the taxable year, the amount the taxpayer received during the taxable year as reimbursement for life insurance premiums under section 5919.31 of the Revised Code.

(20) Deduct, to the extent not otherwise deducted or excluded in computing federal or Ohio adjusted gross income for the taxable year, the amount the taxpayer received during the taxable year as a death benefit paid by the adjutant general under section 5919.33 of the Revised Code.

(21) Deduct, to the extent included in federal adjusted gross income and not otherwise allowable as a deduction or exclusion in computing federal or Ohio adjusted gross income for the taxable year, military pay and allowances received by the taxpayer during the taxable year for active duty service in the United States army, air force, navy, marine corps, or coast guard or reserve components thereof or the national guard. The deduction may not be claimed for military pay and allowances received by the taxpayer while the taxpayer is stationed in this state.

(22) Deduct, to the extent not otherwise allowable as a deduction or exclusion in computing federal or Ohio adjusted gross income for the taxable year and not otherwise compensated for by any other source, the amount of qualified organ donation expenses

incurred by the taxpayer during the taxable year, not to exceed 616
 ten thousand dollars. A taxpayer may deduct qualified organ 617
 donation expenses only once for all taxable years beginning with 618
 taxable years beginning in 2007. 619

For the purposes of division (A)(22) of this section: 620

(a) "Human organ" means all or any portion of a human liver, 621
 pancreas, kidney, intestine, or lung, and any portion of human 622
 bone marrow. 623

(b) "Qualified organ donation expenses" means travel 624
 expenses, lodging expenses, and wages and salary forgone by a 625
 taxpayer in connection with the taxpayer's donation, while living, 626
 of one or more of the taxpayer's human organs to another human 627
 being. 628

(23) Deduct, to the extent not otherwise deducted or excluded 629
 in computing federal or Ohio adjusted gross income for the taxable 630
 year, amounts received by the taxpayer as retired personnel pay 631
 for service in the uniformed services or reserve components 632
 thereof, or the national guard, or received by the surviving 633
 spouse or former spouse of such a taxpayer under the survivor 634
 benefit plan on account of such a taxpayer's death. If the 635
 taxpayer receives income on account of retirement paid under the 636
 federal civil service retirement system or federal employees 637
 retirement system, or under any successor retirement program 638
 enacted by the congress of the United States that is established 639
 and maintained for retired employees of the United States 640
 government, and such retirement income is based, in whole or in 641
 part, on credit for the taxpayer's uniformed service, the 642
 deduction allowed under this division shall include only that 643
 portion of such retirement income that is attributable to the 644
 taxpayer's uniformed service, to the extent that portion of such 645

retirement income is otherwise included in federal adjusted gross
income and is not otherwise deducted under this section. Any
amount deducted under division (A)(23) of this section is not
included in a taxpayer's adjusted gross income for the purposes of
section 5747.055 of the Revised Code. No amount may be deducted
under division (A)(23) of this section on the basis of which a
credit was claimed under section 5747.055 of the Revised Code.

(24) Deduct, to the extent not otherwise deducted or excluded
in computing federal or Ohio adjusted gross income for the taxable
year, the amount the taxpayer received during the taxable year
from the military injury relief fund created in section 5902.05 of
the Revised Code.

(25) Deduct, to the extent not otherwise deducted or excluded
in computing federal or Ohio adjusted gross income for the taxable
year, the amount the taxpayer received as a veterans bonus during
the taxable year from the Ohio department of veterans services as
authorized by Section 2r of Article VIII, Ohio Constitution.

(26) Deduct, to the extent not otherwise deducted or excluded
in computing federal or Ohio adjusted gross income for the taxable
year, any income derived from a transfer agreement or from the
enterprise transferred under that agreement under section 4313.02
of the Revised Code.

(27) Deduct, to the extent not otherwise deducted or excluded
in computing federal or Ohio adjusted gross income for the taxable
year, Ohio college opportunity or federal Pell grant amounts
received by the taxpayer or the taxpayer's spouse or dependent
pursuant to section 3333.122 of the Revised Code or 20 U.S.C.
1070a, et seq., and used to pay room or board furnished by the
educational institution for which the grant was awarded at the
institution's facilities, including meal plans administered by the

institution. For the purposes of this division, receipt of a grant 676
 includes the distribution of a grant directly to an educational 677
 institution and the crediting of the grant to the enrollee's 678
 account with the institution. 679

(28) Deduct from the portion of an individual's federal 680
 adjusted gross income that is business income, to the extent not 681
 otherwise deducted or excluded in computing federal adjusted gross 682
 income for the taxable year, one hundred twenty-five thousand 683
 dollars for each spouse if spouses file separate returns under 684
 section 5747.08 of the Revised Code or two hundred fifty thousand 685
 dollars for all other individuals. 686

(29) Deduct, as provided under section 5747.78 of the Revised 687
 Code, contributions to ABLE savings accounts made in accordance 688
 with sections 113.50 to 113.56 of the Revised Code. 689

(30)(a) Deduct, to the extent not otherwise deducted or 690
 excluded in computing federal or Ohio adjusted gross income during 691
 the taxable year, all of the following: 692

(i) Compensation paid to a qualifying employee described in 693
 division (A)(14)(a) of section 5703.94 of the Revised Code to the 694
 extent such compensation is for disaster work conducted in this 695
 state during a disaster response period pursuant to a qualifying 696
 solicitation received by the employee's employer; 697

(ii) Compensation paid to a qualifying employee described in 698
 division (A)(14)(b) of section 5703.94 of the Revised Code to the 699
 extent such compensation is for disaster work conducted in this 700
 state by the employee during the disaster response period on 701
 critical infrastructure owned or used by the employee's employer; 702

(iii) Income received by an out-of-state disaster business 703
 for disaster work conducted in this state during a disaster 704

response period, or, if the out-of-state disaster business is a 705
 pass-through entity, a taxpayer's distributive share of the 706
 pass-through entity's income from the business conducting disaster 707
 work in this state during a disaster response period, if, in 708
 either case, the disaster work is conducted pursuant to a 709
 qualifying solicitation received by the business. 710

(b) All terms used in division (A)(30) of this section have 711
 the same meanings as in section 5703.94 of the Revised Code. 712

(31) For a taxpayer who is a qualifying Ohio educator, 713
 deduct, to the extent not otherwise deducted or excluded in 714
 computing federal or Ohio adjusted gross income for the taxable 715
 year, the lesser of two hundred fifty dollars or the amount of 716
 expenses described in subsections (a)(2)(D)(i) and (ii) of section 717
 62 of the Internal Revenue Code paid or incurred by the taxpayer 718
 during the taxpayer's taxable year in excess of the amount the 719
 taxpayer is authorized to deduct for that taxable year under 720
 subsection (a)(2)(D) of that section. 721

(32) Deduct, to the extent not otherwise deducted or excluded 722
 in computing federal or Ohio adjusted gross income for the taxable 723
 year, amounts received by the taxpayer as a disability severance 724
 payment, computed under 10 U.S.C. 1212, following discharge or 725
 release under honorable conditions from the armed forces, as 726
 defined by 10 U.S.C. 101. 727

(33) Deduct, to the extent not otherwise deducted or excluded 728
 in computing federal adjusted gross income or Ohio adjusted gross 729
 income, amounts not subject to tax due to an agreement entered 730
 into under division (A)(2) of section 5747.05 of the Revised Code. 731

(34) Deduct amounts as provided under section 5747.79 of the 732
 Revised Code related to the taxpayer's qualifying capital gains 733
 and deductible payroll. 734

To the extent a qualifying capital gain described under 735
 division (A)(34) of this section is business income, the taxpayer 736
 shall deduct those gains under this division before deducting any 737
 such gains under division (A)(28) of this section. 738

(35)(a) For taxable years beginning in or after 2026, deduct, 739
 to the extent not otherwise deducted or excluded in computing 740
 federal or Ohio adjusted gross income for the taxable year: 741

(i) One hundred per cent of the capital gain received by the 742
 taxpayer in the taxable year from a qualifying interest in an Ohio 743
 venture capital operating company attributable to the company's 744
 investments in Ohio businesses during the period for which the 745
 company was an Ohio venture operating company; and 746

(ii) Fifty per cent of the capital gain received by the 747
 taxpayer in the taxable year from a qualifying interest in an Ohio 748
 venture capital operating company attributable to the company's 749
 investments in all other businesses during the period for which 750
 the company was an Ohio venture operating company. 751

(b) Add amounts previously deducted by the taxpayer under 752
 division (A)(35)(a) of this section if the director of development 753
 certifies to the tax commissioner that the requirements for the 754
 deduction were not met. 755

(c) All terms used in division (A)(35) of this section have 756
 the same meanings as in section 122.851 of the Revised Code. 757

(d) To the extent a capital gain described in division 758
 (A)(35)(a) of this section is business income, the taxpayer shall 759
 apply that division before applying division (A)(28) of this 760
 section. 761

(36) Add, to the extent not otherwise included in computing 762
 federal or Ohio adjusted gross income for any taxable year, the 763

taxpayer's proportionate share of the amount of the tax levied 764
 under section 5747.38 of the Revised Code and paid by an electing 765
 pass-through entity for the taxable year. 766

(37) Deduct, to the extent not otherwise deducted or excluded 767
 in computing federal or Ohio adjusted gross income for the taxable 768
 year, amounts delivered to a qualifying institution pursuant to 769
 section 3333.128 of the Revised Code for the benefit of the 770
 taxpayer or the taxpayer's spouse or dependent. 771

(38) Deduct, to the extent not otherwise deducted or excluded 772
 in computing federal or Ohio adjusted gross income for the taxable 773
 year, amounts received under the Ohio adoption grant program 774
 pursuant to section 5101.191 of the Revised Code. 775

~~(39) Deduct, to the extent included in federal adjusted gross~~ 776
~~income, income attributable to loan repayments on behalf of the~~ 777
~~taxpayer under the rural practice incentive program under section~~ 778
~~3333.135 of the Revised Code~~ Deduct, to the extent included in 779
federal adjusted gross income, income attributable to amounts 780
provided to a taxpayer for any of the purposes for which a 781
deduction is authorized under section 139 of the Internal Revenue 782
Code, assuming that the train derailment near the city of East 783
Palestine on February 3, 2023, is a qualified disaster pursuant to 784
that section, or to compensate for lost business resulting from 785
that derailment, if such amounts are provided by any of the 786
following: 787

(a) A federal, state, or local government agency; 788

(b) Norfolk southern railway; 789

(c) Any subsidiary, insurer, or agent of Norfolk southern 790
railway or any related person. 791

(B) "Business income" means income, including gain or loss, 792

arising from transactions, activities, and sources in the regular course of a trade or business and includes income, gain, or loss from real property, tangible property, and intangible property if the acquisition, rental, management, and disposition of the property constitute integral parts of the regular course of a trade or business operation. "Business income" includes income, including gain or loss, from a partial or complete liquidation of a business, including, but not limited to, gain or loss from the sale or other disposition of goodwill or the sale of an equity or ownership interest in a business.

As used in this division, the "sale of an equity or ownership interest in a business" means sales to which either or both of the following apply:

(1) The sale is treated for federal income tax purposes as the sale of assets.

(2) The seller materially participated, as described in 26 C.F.R. 1.469-5T, in the activities of the business during the taxable year in which the sale occurs or during any of the five preceding taxable years.

(C) "Nonbusiness income" means all income other than business income and may include, but is not limited to, compensation, rents and royalties from real or tangible personal property, capital gains, interest, dividends and distributions, patent or copyright royalties, or lottery winnings, prizes, and awards.

(D) "Compensation" means any form of remuneration paid to an employee for personal services.

(E) "Fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any other person acting in any fiduciary capacity for any individual, trust, or estate.

(F) "Fiscal year" means an accounting period of twelve months ending on the last day of any month other than December. 822
823

(G) "Individual" means any natural person. 824

(H) "Internal Revenue Code" means the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended. 825
826

(I) "Resident" means any of the following: 827

(1) An individual who is domiciled in this state, subject to section 5747.24 of the Revised Code; 828
829

(2) The estate of a decedent who at the time of death was domiciled in this state. The domicile tests of section 5747.24 of the Revised Code are not controlling for purposes of division (I)(2) of this section. 830
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(3) A trust that, in whole or part, resides in this state. If only part of a trust resides in this state, the trust is a resident only with respect to that part. 834
835
836

For the purposes of division (I)(3) of this section: 837

(a) A trust resides in this state for the trust's current taxable year to the extent, as described in division (I)(3)(d) of this section, that the trust consists directly or indirectly, in whole or in part, of assets, net of any related liabilities, that were transferred, or caused to be transferred, directly or indirectly, to the trust by any of the following: 838
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(i) A person, a court, or a governmental entity or instrumentality on account of the death of a decedent, but only if the trust is described in division (I)(3)(e)(i) or (ii) of this section; 844
845
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847

(ii) A person who was domiciled in this state for the purposes of this chapter when the person directly or indirectly 848
849

transferred assets to an irrevocable trust, but only if at least 850
 one of the trust's qualifying beneficiaries is domiciled in this 851
 state for the purposes of this chapter during all or some portion 852
 of the trust's current taxable year; 853

(iii) A person who was domiciled in this state for the 854
 purposes of this chapter when the trust document or instrument or 855
 part of the trust document or instrument became irrevocable, but 856
 only if at least one of the trust's qualifying beneficiaries is a 857
 resident domiciled in this state for the purposes of this chapter 858
 during all or some portion of the trust's current taxable year. If 859
 a trust document or instrument became irrevocable upon the death 860
 of a person who at the time of death was domiciled in this state 861
 for purposes of this chapter, that person is a person described in 862
 division (I)(3)(a)(iii) of this section. 863

(b) A trust is irrevocable to the extent that the transferor 864
 is not considered to be the owner of the net assets of the trust 865
 under sections 671 to 678 of the Internal Revenue Code. 866

(c) With respect to a trust other than a charitable lead 867
 trust, "qualifying beneficiary" has the same meaning as "potential 868
 current beneficiary" as defined in section 1361(e)(2) of the 869
 Internal Revenue Code, and with respect to a charitable lead trust 870
 "qualifying beneficiary" is any current, future, or contingent 871
 beneficiary, but with respect to any trust "qualifying 872
 beneficiary" excludes a person or a governmental entity or 873
 instrumentality to any of which a contribution would qualify for 874
 the charitable deduction under section 170 of the Internal Revenue 875
 Code. 876

(d) For the purposes of division (I)(3)(a) of this section, 877
 the extent to which a trust consists directly or indirectly, in 878
 whole or in part, of assets, net of any related liabilities, that 879

were transferred directly or indirectly, in whole or part, to the trust by any of the sources enumerated in that division shall be ascertained by multiplying the fair market value of the trust's assets, net of related liabilities, by the qualifying ratio, which shall be computed as follows:

(i) The first time the trust receives assets, the numerator of the qualifying ratio is the fair market value of those assets at that time, net of any related liabilities, from sources enumerated in division (I)(3)(a) of this section. The denominator of the qualifying ratio is the fair market value of all the trust's assets at that time, net of any related liabilities.

(ii) Each subsequent time the trust receives assets, a revised qualifying ratio shall be computed. The numerator of the revised qualifying ratio is the sum of (1) the fair market value of the trust's assets immediately prior to the subsequent transfer, net of any related liabilities, multiplied by the qualifying ratio last computed without regard to the subsequent transfer, and (2) the fair market value of the subsequently transferred assets at the time transferred, net of any related liabilities, from sources enumerated in division (I)(3)(a) of this section. The denominator of the revised qualifying ratio is the fair market value of all the trust's assets immediately after the subsequent transfer, net of any related liabilities.

(iii) Whether a transfer to the trust is by or from any of the sources enumerated in division (I)(3)(a) of this section shall be ascertained without regard to the domicile of the trust's beneficiaries.

(e) For the purposes of division (I)(3)(a)(i) of this section:

(i) A trust is described in division (I)(3)(e)(i) of this

section if the trust is a testamentary trust and the testator of 910
 that testamentary trust was domiciled in this state at the time of 911
 the testator's death for purposes of the taxes levied under 912
 Chapter 5731. of the Revised Code. 913

(ii) A trust is described in division (I)(3)(e)(ii) of this 914
 section if the transfer is a qualifying transfer described in any 915
 of divisions (I)(3)(f)(i) to (vi) of this section, the trust is an 916
 irrevocable inter vivos trust, and at least one of the trust's 917
 qualifying beneficiaries is domiciled in this state for purposes 918
 of this chapter during all or some portion of the trust's current 919
 taxable year. 920

(f) For the purposes of division (I)(3)(e)(ii) of this 921
 section, a "qualifying transfer" is a transfer of assets, net of 922
 any related liabilities, directly or indirectly to a trust, if the 923
 transfer is described in any of the following: 924

(i) The transfer is made to a trust, created by the decedent 925
 before the decedent's death and while the decedent was domiciled 926
 in this state for the purposes of this chapter, and, prior to the 927
 death of the decedent, the trust became irrevocable while the 928
 decedent was domiciled in this state for the purposes of this 929
 chapter. 930

(ii) The transfer is made to a trust to which the decedent, 931
 prior to the decedent's death, had directly or indirectly 932
 transferred assets, net of any related liabilities, while the 933
 decedent was domiciled in this state for the purposes of this 934
 chapter, and prior to the death of the decedent the trust became 935
 irrevocable while the decedent was domiciled in this state for the 936
 purposes of this chapter. 937

(iii) The transfer is made on account of a contractual 938
 relationship existing directly or indirectly between the 939

transferor and either the decedent or the estate of the decedent 940
 at any time prior to the date of the decedent's death, and the 941
 decedent was domiciled in this state at the time of death for 942
 purposes of the taxes levied under Chapter 5731. of the Revised 943
 Code. 944

(iv) The transfer is made to a trust on account of a 945
 contractual relationship existing directly or indirectly between 946
 the transferor and another person who at the time of the 947
 decedent's death was domiciled in this state for purposes of this 948
 chapter. 949

(v) The transfer is made to a trust on account of the will of 950
 a testator who was domiciled in this state at the time of the 951
 testator's death for purposes of the taxes levied under Chapter 952
 5731. of the Revised Code. 953

(vi) The transfer is made to a trust created by or caused to 954
 be created by a court, and the trust was directly or indirectly 955
 created in connection with or as a result of the death of an 956
 individual who, for purposes of the taxes levied under Chapter 957
 5731. of the Revised Code, was domiciled in this state at the time 958
 of the individual's death. 959

(g) The tax commissioner may adopt rules to ascertain the 960
 part of a trust residing in this state. 961

(J) "Nonresident" means an individual or estate that is not a 962
 resident. An individual who is a resident for only part of a 963
 taxable year is a nonresident for the remainder of that taxable 964
 year. 965

(K) "Pass-through entity" has the same meaning as in section 966
 5733.04 of the Revised Code. 967

(L) "Return" means the notifications and reports required to 968

be filed pursuant to this chapter for the purpose of reporting the 969
 tax due and includes declarations of estimated tax when so 970
 required. 971

(M) "Taxable year" means the calendar year or the taxpayer's 972
 fiscal year ending during the calendar year, or fractional part 973
 thereof, upon which the adjusted gross income is calculated 974
 pursuant to this chapter. 975

(N) "Taxpayer" means any person subject to the tax imposed by 976
 section 5747.02 of the Revised Code or any pass-through entity 977
 that makes the election under division (D) of section 5747.08 of 978
 the Revised Code. 979

(O) "Dependents" means one of the following: 980

(1) For taxable years beginning on or after January 1, 2018, 981
 and before January 1, 2026, dependents as defined in the Internal 982
 Revenue Code; 983

(2) For all other taxable years, dependents as defined in the 984
 Internal Revenue Code and as claimed in the taxpayer's federal 985
 income tax return for the taxable year or which the taxpayer would 986
 have been permitted to claim had the taxpayer filed a federal 987
 income tax return. 988

(P) "Principal county of employment" means, in the case of a 989
 nonresident, the county within the state in which a taxpayer 990
 performs services for an employer or, if those services are 991
 performed in more than one county, the county in which the major 992
 portion of the services are performed. 993

(Q) As used in sections 5747.50 to 5747.55 of the Revised 994
 Code: 995

(1) "Subdivision" means any county, municipal corporation, 996
 park district, or township. 997

(2) "Essential local government purposes" includes all 998
 functions that any subdivision is required by general law to 999
 exercise, including like functions that are exercised under a 1000
 charter adopted pursuant to the Ohio Constitution. 1001

(R) "Overpayment" means any amount already paid that exceeds 1002
 the figure determined to be the correct amount of the tax. 1003

(S) "Taxable income" or "Ohio taxable income" applies only to 1004
 estates and trusts, and means federal taxable income, as defined 1005
 and used in the Internal Revenue Code, adjusted as follows: 1006

(1) Add interest or dividends, net of ordinary, necessary, 1007
 and reasonable expenses not deducted in computing federal taxable 1008
 income, on obligations or securities of any state or of any 1009
 political subdivision or authority of any state, other than this 1010
 state and its subdivisions and authorities, but only to the extent 1011
 that such net amount is not otherwise includible in Ohio taxable 1012
 income and is described in either division (S)(1)(a) or (b) of 1013
 this section: 1014

(a) The net amount is not attributable to the S portion of an 1015
 electing small business trust and has not been distributed to 1016
 beneficiaries for the taxable year; 1017

(b) The net amount is attributable to the S portion of an 1018
 electing small business trust for the taxable year. 1019

(2) Add interest or dividends, net of ordinary, necessary, 1020
 and reasonable expenses not deducted in computing federal taxable 1021
 income, on obligations of any authority, commission, 1022
 instrumentality, territory, or possession of the United States to 1023
 the extent that the interest or dividends are exempt from federal 1024
 income taxes but not from state income taxes, but only to the 1025
 extent that such net amount is not otherwise includible in Ohio 1026

taxable income and is described in either division (S)(1)(a) or	1027
(b) of this section;	1028
(3) Add the amount of personal exemption allowed to the	1029
estate pursuant to section 642(b) of the Internal Revenue Code;	1030
(4) Deduct interest or dividends, net of related expenses	1031
deducted in computing federal taxable income, on obligations of	1032
the United States and its territories and possessions or of any	1033
authority, commission, or instrumentality of the United States to	1034
the extent that the interest or dividends are exempt from state	1035
taxes under the laws of the United States, but only to the extent	1036
that such amount is included in federal taxable income and is	1037
described in either division (S)(1)(a) or (b) of this section;	1038
(5) Deduct the amount of wages and salaries, if any, not	1039
otherwise allowable as a deduction but that would have been	1040
allowable as a deduction in computing federal taxable income for	1041
the taxable year, had the work opportunity tax credit allowed	1042
under sections 38, 51, and 52 of the Internal Revenue Code not	1043
been in effect, but only to the extent such amount relates either	1044
to income included in federal taxable income for the taxable year	1045
or to income of the S portion of an electing small business trust	1046
for the taxable year;	1047
(6) Deduct any interest or interest equivalent, net of	1048
related expenses deducted in computing federal taxable income, on	1049
public obligations and purchase obligations, but only to the	1050
extent that such net amount relates either to income included in	1051
federal taxable income for the taxable year or to income of the S	1052
portion of an electing small business trust for the taxable year;	1053
(7) Add any loss or deduct any gain resulting from sale,	1054
exchange, or other disposition of public obligations to the extent	1055
that such loss has been deducted or such gain has been included in	1056

computing either federal taxable income or income of the S portion 1057
of an electing small business trust for the taxable year; 1058

(8) Except in the case of the final return of an estate, add 1059
any amount deducted by the taxpayer on both its Ohio estate tax 1060
return pursuant to section 5731.14 of the Revised Code, and on its 1061
federal income tax return in determining federal taxable income; 1062

(9)(a) Deduct any amount included in federal taxable income 1063
solely because the amount represents a reimbursement or refund of 1064
expenses that in a previous year the decedent had deducted as an 1065
itemized deduction pursuant to section 63 of the Internal Revenue 1066
Code and applicable treasury regulations. The deduction otherwise 1067
allowed under division (S)(9)(a) of this section shall be reduced 1068
to the extent the reimbursement is attributable to an amount the 1069
taxpayer or decedent deducted under this section in any taxable 1070
year. 1071

(b) Add any amount not otherwise included in Ohio taxable 1072
income for any taxable year to the extent that the amount is 1073
attributable to the recovery during the taxable year of any amount 1074
deducted or excluded in computing federal or Ohio taxable income 1075
in any taxable year, but only to the extent such amount has not 1076
been distributed to beneficiaries for the taxable year. 1077

(10) Deduct any portion of the deduction described in section 1078
1341(a)(2) of the Internal Revenue Code, for repaying previously 1079
reported income received under a claim of right, that meets both 1080
of the following requirements: 1081

(a) It is allowable for repayment of an item that was 1082
included in the taxpayer's taxable income or the decedent's 1083
adjusted gross income for a prior taxable year and did not qualify 1084
for a credit under division (A) or (B) of section 5747.05 of the 1085
Revised Code for that year. 1086

(b) It does not otherwise reduce the taxpayer's taxable income or the decedent's adjusted gross income for the current or any other taxable year. 1087
1088
1089

(11) Add any amount claimed as a credit under section 5747.059 of the Revised Code to the extent that the amount satisfies either of the following: 1090
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(a) The amount was deducted or excluded from the computation of the taxpayer's federal taxable income as required to be reported for the taxpayer's taxable year under the Internal Revenue Code; 1093
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(b) The amount resulted in a reduction in the taxpayer's federal taxable income as required to be reported for any of the taxpayer's taxable years under the Internal Revenue Code. 1097
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(12) Deduct any amount, net of related expenses deducted in computing federal taxable income, that a trust is required to report as farm income on its federal income tax return, but only if the assets of the trust include at least ten acres of land satisfying the definition of "land devoted exclusively to agricultural use" under section 5713.30 of the Revised Code, regardless of whether the land is valued for tax purposes as such land under sections 5713.30 to 5713.38 of the Revised Code. If the trust is a pass-through entity investor, section 5747.231 of the Revised Code applies in ascertaining if the trust is eligible to claim the deduction provided by division (S)(12) of this section in connection with the pass-through entity's farm income. 1100
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Except for farm income attributable to the S portion of an electing small business trust, the deduction provided by division (S)(12) of this section is allowed only to the extent that the trust has not distributed such farm income. 1112
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(13) Add the net amount of income described in section 641(c) 1116
of the Internal Revenue Code to the extent that amount is not 1117
included in federal taxable income. 1118

(14) ~~Add or deduct~~ Deduct the amount the taxpayer would be 1119
required to ~~add or deduct~~ under division ~~(A)(17) or (18)~~ (A)(18) 1120
of this section if the taxpayer's Ohio taxable income were 1121
computed in the same manner as an individual's Ohio adjusted gross 1122
income is computed under this section. 1123

(15) Add, to the extent not otherwise included in computing 1124
taxable income or Ohio taxable income for any taxable year, the 1125
taxpayer's proportionate share of the amount of the tax levied 1126
under section 5747.38 of the Revised Code and paid by an electing 1127
pass-through entity for the taxable year. 1128

(T) "School district income" and "school district income tax" 1129
have the same meanings as in section 5748.01 of the Revised Code. 1130

(U) As used in divisions (A)(7), (A)(8), (S)(6), and (S)(7) 1131
of this section, "public obligations," "purchase obligations," and 1132
"interest or interest equivalent" have the same meanings as in 1133
section 5709.76 of the Revised Code. 1134

(V) "Limited liability company" means any limited liability 1135
company formed under former Chapter 1705. ~~or of the Revised Code~~ 1136
as that chapter existed prior to February 11, 2022, Chapter 1706. 1137
of the Revised Code, or ~~under~~ the laws of any other state. 1138

(W) "Pass-through entity investor" means any person who, 1139
during any portion of a taxable year of a pass-through entity, is 1140
a partner, member, shareholder, or equity investor in that 1141
pass-through entity. 1142

(X) "Banking day" has the same meaning as in section 1304.01 1143
of the Revised Code. 1144

(Y) "Month" means a calendar month. 1145

(Z) "Quarter" means the first three months, the second three 1146
 months, the third three months, or the last three months of the 1147
 taxpayer's taxable year. 1148

(AA)(1) "Modified business income" means the business income 1149
 included in a trust's Ohio taxable income after such taxable 1150
 income is first reduced by the qualifying trust amount, if any. 1151

(2) "Qualifying trust amount" of a trust means capital gains 1152
 and losses from the sale, exchange, or other disposition of equity 1153
 or ownership interests in, or debt obligations of, a qualifying 1154
 investee to the extent included in the trust's Ohio taxable 1155
 income, but only if the following requirements are satisfied: 1156

(a) The book value of the qualifying investee's physical 1157
 assets in this state and everywhere, as of the last day of the 1158
 qualifying investee's fiscal or calendar year ending immediately 1159
 prior to the date on which the trust recognizes the gain or loss, 1160
 is available to the trust. 1161

(b) The requirements of section 5747.011 of the Revised Code 1162
 are satisfied for the trust's taxable year in which the trust 1163
 recognizes the gain or loss. 1164

Any gain or loss that is not a qualifying trust amount is 1165
 modified business income, qualifying investment income, or 1166
 modified nonbusiness income, as the case may be. 1167

(3) "Modified nonbusiness income" means a trust's Ohio 1168
 taxable income other than modified business income, other than the 1169
 qualifying trust amount, and other than qualifying investment 1170
 income, as defined in section 5747.012 of the Revised Code, to the 1171
 extent such qualifying investment income is not otherwise part of 1172
 modified business income. 1173

(4) "Modified Ohio taxable income" applies only to trusts, 1174
 and means the sum of the amounts described in divisions (AA)(4)(a) 1175
 to (c) of this section: 1176

(a) The fraction, calculated under section 5747.013, and 1177
 applying section 5747.231 of the Revised Code, multiplied by the 1178
 sum of the following amounts: 1179

(i) The trust's modified business income; 1180

(ii) The trust's qualifying investment income, as defined in 1181
 section 5747.012 of the Revised Code, but only to the extent the 1182
 qualifying investment income does not otherwise constitute 1183
 modified business income and does not otherwise constitute a 1184
 qualifying trust amount. 1185

(b) The qualifying trust amount multiplied by a fraction, the 1186
 numerator of which is the sum of the book value of the qualifying 1187
 investee's physical assets in this state on the last day of the 1188
 qualifying investee's fiscal or calendar year ending immediately 1189
 prior to the day on which the trust recognizes the qualifying 1190
 trust amount, and the denominator of which is the sum of the book 1191
 value of the qualifying investee's total physical assets 1192
 everywhere on the last day of the qualifying investee's fiscal or 1193
 calendar year ending immediately prior to the day on which the 1194
 trust recognizes the qualifying trust amount. If, for a taxable 1195
 year, the trust recognizes a qualifying trust amount with respect 1196
 to more than one qualifying investee, the amount described in 1197
 division (AA)(4)(b) of this section shall equal the sum of the 1198
 products so computed for each such qualifying investee. 1199

(c)(i) With respect to a trust or portion of a trust that is 1200
 a resident as ascertained in accordance with division (I)(3)(d) of 1201
 this section, its modified nonbusiness income. 1202

(ii) With respect to a trust or portion of a trust that is not a resident as ascertained in accordance with division (I)(3)(d) of this section, the amount of its modified nonbusiness income satisfying the descriptions in divisions (B)(2) to (5) of section 5747.20 of the Revised Code, except as otherwise provided in division (AA)(4)(c)(ii) of this section. With respect to a trust or portion of a trust that is not a resident as ascertained in accordance with division (I)(3)(d) of this section, the trust's portion of modified nonbusiness income recognized from the sale, exchange, or other disposition of a debt interest in or equity interest in a section 5747.212 entity, as defined in section 5747.212 of the Revised Code, without regard to division (A) of that section, shall not be allocated to this state in accordance with section 5747.20 of the Revised Code but shall be apportioned to this state in accordance with division (B) of section 5747.212 of the Revised Code without regard to division (A) of that section.

If the allocation and apportionment of a trust's income under divisions (AA)(4)(a) and (c) of this section do not fairly represent the modified Ohio taxable income of the trust in this state, the alternative methods described in division (C) of section 5747.21 of the Revised Code may be applied in the manner and to the same extent provided in that section.

(5)(a) Except as set forth in division (AA)(5)(b) of this section, "qualifying investee" means a person in which a trust has an equity or ownership interest, or a person or unit of government the debt obligations of either of which are owned by a trust. For the purposes of division (AA)(2)(a) of this section and for the purpose of computing the fraction described in division (AA)(4)(b) of this section, all of the following apply:

(i) If the qualifying investee is a member of a qualifying controlled group on the last day of the qualifying investee's fiscal or calendar year ending immediately prior to the date on which the trust recognizes the gain or loss, then "qualifying investee" includes all persons in the qualifying controlled group on such last day.

(ii) If the qualifying investee, or if the qualifying investee and any members of the qualifying controlled group of which the qualifying investee is a member on the last day of the qualifying investee's fiscal or calendar year ending immediately prior to the date on which the trust recognizes the gain or loss, separately or cumulatively own, directly or indirectly, on the last day of the qualifying investee's fiscal or calendar year ending immediately prior to the date on which the trust recognizes the qualifying trust amount, more than fifty per cent of the equity of a pass-through entity, then the qualifying investee and the other members are deemed to own the proportionate share of the pass-through entity's physical assets which the pass-through entity directly or indirectly owns on the last day of the pass-through entity's calendar or fiscal year ending within or with the last day of the qualifying investee's fiscal or calendar year ending immediately prior to the date on which the trust recognizes the qualifying trust amount.

(iii) For the purposes of division (AA)(5)(a)(iii) of this section, "upper level pass-through entity" means a pass-through entity directly or indirectly owning any equity of another pass-through entity, and "lower level pass-through entity" means that other pass-through entity.

An upper level pass-through entity, whether or not it is also a qualifying investee, is deemed to own, on the last day of the

upper level pass-through entity's calendar or fiscal year, the 1263
 proportionate share of the lower level pass-through entity's 1264
 physical assets that the lower level pass-through entity directly 1265
 or indirectly owns on the last day of the lower level pass-through 1266
 entity's calendar or fiscal year ending within or with the last 1267
 day of the upper level pass-through entity's fiscal or calendar 1268
 year. If the upper level pass-through entity directly and 1269
 indirectly owns less than fifty per cent of the equity of the 1270
 lower level pass-through entity on each day of the upper level 1271
 pass-through entity's calendar or fiscal year in which or with 1272
 which ends the calendar or fiscal year of the lower level 1273
 pass-through entity and if, based upon clear and convincing 1274
 evidence, complete information about the location and cost of the 1275
 physical assets of the lower pass-through entity is not available 1276
 to the upper level pass-through entity, then solely for purposes 1277
 of ascertaining if a gain or loss constitutes a qualifying trust 1278
 amount, the upper level pass-through entity shall be deemed as 1279
 owning no equity of the lower level pass-through entity for each 1280
 day during the upper level pass-through entity's calendar or 1281
 fiscal year in which or with which ends the lower level 1282
 pass-through entity's calendar or fiscal year. Nothing in division 1283
 (AA)(5)(a)(iii) of this section shall be construed to provide for 1284
 any deduction or exclusion in computing any trust's Ohio taxable 1285
 income. 1286

(b) With respect to a trust that is not a resident for the 1287
 taxable year and with respect to a part of a trust that is not a 1288
 resident for the taxable year, "qualifying investee" for that 1289
 taxable year does not include a C corporation if both of the 1290
 following apply: 1291

(i) During the taxable year the trust or part of the trust 1292
 recognizes a gain or loss from the sale, exchange, or other 1293

disposition of equity or ownership interests in, or debt obligations of, the C corporation. 1294
 1295

(ii) Such gain or loss constitutes nonbusiness income. 1296

(6) "Available" means information is such that a person is able to learn of the information by the due date plus extensions, if any, for filing the return for the taxable year in which the trust recognizes the gain or loss. 1297
 1298
 1299
 1300

(BB) "Qualifying controlled group" has the same meaning as in section 5733.04 of the Revised Code. 1301
 1302

(CC) "Related member" has the same meaning as in section 5733.042 of the Revised Code. 1303
 1304

(DD)(1) For the purposes of division (DD) of this section: 1305

(a) "Qualifying person" means any person other than a qualifying corporation. 1306
 1307

(b) "Qualifying corporation" means any person classified for federal income tax purposes as an association taxable as a corporation, except either of the following: 1308
 1309
 1310

(i) A corporation that has made an election under subchapter S, chapter one, subtitle A, of the Internal Revenue Code for its taxable year ending within, or on the last day of, the investor's taxable year; 1311
 1312
 1313
 1314

(ii) A subsidiary that is wholly owned by any corporation that has made an election under subchapter S, chapter one, subtitle A of the Internal Revenue Code for its taxable year ending within, or on the last day of, the investor's taxable year. 1315
 1316
 1317
 1318

(2) For the purposes of this chapter, unless expressly stated otherwise, no qualifying person indirectly owns any asset directly or indirectly owned by any qualifying corporation. 1319
 1320
 1321

(EE) For purposes of this chapter and Chapter 5751. of the Revised Code:	1322
	1323
(1) "Trust" does not include a qualified pre-income tax trust.	1324
	1325
(2) A "qualified pre-income tax trust" is any pre-income tax trust that makes a qualifying pre-income tax trust election as described in division (EE)(3) of this section.	1326
	1327
	1328
(3) A "qualifying pre-income tax trust election" is an election by a pre-income tax trust to subject to the tax imposed by section 5751.02 of the Revised Code the pre-income tax trust and all pass-through entities of which the trust owns or controls, directly, indirectly, or constructively through related interests, five per cent or more of the ownership or equity interests. The trustee shall notify the tax commissioner in writing of the election on or before April 15, 2006. The election, if timely made, shall be effective on and after January 1, 2006, and shall apply for all tax periods and tax years until revoked by the trustee of the trust.	1329
	1330
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	1339
(4) A "pre-income tax trust" is a trust that satisfies all of the following requirements:	1340
	1341
(a) The document or instrument creating the trust was executed by the grantor before January 1, 1972;	1342
	1343
(b) The trust became irrevocable upon the creation of the trust; and	1344
	1345
(c) The grantor was domiciled in this state at the time the trust was created.	1346
	1347
(FF) "Uniformed services" has the same meaning as in 10 U.S.C. 101.	1348
	1349

(GG) "Taxable business income" means the amount by which an individual's business income that is included in federal adjusted gross income exceeds the amount of business income the individual is authorized to deduct under division (A)(28) of this section for the taxable year.

(HH) "Employer" does not include a franchisor with respect to the franchisor's relationship with a franchisee or an employee of a franchisee, unless the franchisor agrees to assume that role in writing or a court of competent jurisdiction determines that the franchisor exercises a type or degree of control over the franchisee or the franchisee's employees that is not customarily exercised by a franchisor for the purpose of protecting the franchisor's trademark, brand, or both. For purposes of this division, "franchisor" and "franchisee" have the same meanings as in 16 C.F.R. 436.1.

(II) "Modified adjusted gross income" means Ohio adjusted gross income plus any amount deducted under divisions (A)(28) and (34) of this section for the taxable year.

(JJ) "Qualifying Ohio educator" means an individual who, for a taxable year, qualifies as an eligible educator, as that term is defined in section 62 of the Internal Revenue Code, and who holds a certificate, license, or permit described in Chapter 3319. or section 3301.071 of the Revised Code."

In line 101349, after "5733.031," insert "5733.40,"

In line 163566, after "of" insert "division (A)(39) of"

The motion was _____ agreed to.

SYNOPSIS

Income tax: depreciation expense add-back	1375
R.C. 5733.40 and 5747.01; Section 803.160	1376
Allows taxpayers to deduct the full amount of bonus	1377
depreciation and enhanced expensing allowances that the taxpayer	1378
deducts for federal income tax purposes in the same year the	1379
taxpayer deducts those expenses on their federal return. Under	1380
current law, taxpayers must typically add back a portion of these	1381
expenses when computing their Ohio adjusted gross income and	1382
deduct the amount added back over several years.	1383

_____ moved to amend as follows:

1 In line 158155, delete ", at a rate not"

2 In line 158156, delete "to exceed \$75 per hour,"

3 In line 158161, after "Code" insert "at an hourly rate not
4 to exceed the greater of \$75 per hour or the rate established by
5 the county as of April 1, 2023, pursuant to section 120.33 of
6 the Revised Code"

7 In line 158163, after the period insert "The intent of the
8 General Assembly is to stabilize costs while allowing the task
9 force to study indigent defense established in H.B. 150 of the
10 134th General Assembly to issue its report."

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Indigent Defense**

14 **Section 371.10**

15 Replaces the bill's \$75 per hour cap on State Public
16 Defender reimbursements to counties for indigent defense with a
17 cap of \$75 per hour or the rate established by the county as of
18 April 1, 2023, pursuant to continuing law, whichever is greater.

_____ moved to amend as follows:

- 1 In line 18 of the title, delete "155.33,"
- 2 In line 220 of the title, delete "131.50,"
- 3 In line 221 of the title, delete "155.37,"
- 4 In line 463, delete "155.33,"
- 5 Delete lines 12187 through 12371
- 6 In line 101243, delete "155.33,"
- 7 In line 101358, delete "131.50, 155.37,"

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **All Ohio Future Fund: oil and gas royalties**

11 **R.C. 131.50, 155.33, and 155.37**

12 For purposes of the All Ohio Future Fund, does all of the
13 following:

- 14 1. Removes a provision in the bill that requires royalties
15 from oil and gas leasing agreements on state lands to be
16 credited to the All Ohio Future Fund instead of the State Land
17 Royalty Fund as under current law;
- 18 2. Restores to current law the requirement that money in
19 the State Land Royalty Fund derived from oil and gas exploration
20 on state agency land be provided to the state agency on which
21 the exploration occurred; and

HC3021

22 3. Restores to current law the requirement that 30% of the
23 proceeds from oil and gas exploration within or under a state
24 park be credited to the state fund that supports the state park.

_____ moved to amend as follows:

- 1 In line 15 of the title, delete "128.01, 128.45,"
- 2 Delete line 16 of the title
- 3 In line 157 of the title, delete "5703.052,"
- 4 In line 177 of the title, delete "128.43,"
- 5 In line 461, delete "128.01, 128.45, 128.46, 128.462,"
- 6 In line 462, delete "128.47, 128.54, 128.63, 128.99,"
- 7 In line 565, delete "5703.052,"
- 8 In line 580, delete "128.43,"
- 9 Delete lines 9608 through 10284
- 10 Delete lines 88775 through 88817
- 11 In line 101241, delete "128.01, 128.45, 128.46,"
- 12 In line 101242, delete "128.462, 128.47, 128.54, 128.63,
- 13 128.99,"
- 14 In line 101345, delete "5703.052,"
- 15 The motion was _____ agreed to.

16

SYNOPSIS

17

County 9-1-1 wireless charge

18

R.C. 128.43, 128.01, 128.45, 128.46, 128.462, 128.47,

19

128.54, 128.63, 128.99, and 5703.052

20

Removes a provision added in the substitute bill that would
21 have allowed a county that currently levies a property tax to
22 fund 9-1-1 and public safety communications systems to replace
23 that tax with a monthly charge on wireless subscribers.

Sub. H.B. 33
L-135-0001-3
TAXCD35

_____ moved to amend as follows:

In line 17 of the title, after "131.51," insert "135.63,
135.78," 1
2

In line 35 of the title, after "1710.06," insert "1733.04,
1733.24," 3
4

In line 177 of the title, after "128.43," insert "135.98,
135.981, 135.982, 135.983, 135.984, 135.985, 135.986," 5
6

In line 218 of the title, after "5747.83," insert "5747.84," 7

In line 462, after "131.51," insert "135.63, 135.78," 8

In line 476, after "1710.06," insert "1733.04, 1733.24," 9

In line 580, after "128.43," insert "135.98, 135.981,
135.982, 135.983, 135.984, 135.985, 135.986," 10
11

In line 611, after "5747.83," insert "5747.84," 12

After line 10469, insert: 13

"**Sec. 135.63.** The treasurer of state may invest in linked 14
deposits under sections 135.61 to 135.67, short-term installment 15
loan linked deposits under sections 135.68 to 135.70, agricultural 16
linked deposits under sections 135.71 to 135.76, business linked 17
deposits under sections 135.77 to 135.774, adoption linked 18

deposits under sections 135.79 to 135.796, housing linked deposits 19
 under sections 135.81 to 135.87, assistive technology device 20
 linked deposits under sections 135.91 to 135.97, ~~and~~ SaveNOW 21
 linked deposits under sections 135.101 to 135.106 ~~of the Revised~~ 22
~~Code, and homeownership savings linked deposits under sections~~ 23
135.98 to 135.986 of the Revised Code provided that at the time of 24
 placement of any such linked deposit the combined amount of 25
 investments in all such linked deposits is not more than twelve 26
 per cent of the state's total average investment portfolio as 27
 determined by the treasurer of state. When deciding whether to 28
 invest in any such linked deposits, the treasurer of state shall 29
 give priority to the investment, liquidity, and cash flow needs of 30
 the state. 31

Sec. 135.78. (A) As used in this section: 32

(1) "Eligible lending institution" means an eligible lending 33
 institution as defined in section 135.61, 135.68, 135.71, 135.77, 34
 or 135.79 of the Revised Code, as applicable. 35

(2) "Eligible savings institution" means an eligible savings 36
institution as defined in section 135.98 of the Revised Code. 37

(3) "Prevailing interest rate" means a current interest rate 38
 benchmark selected by the treasurer of state that banks are 39
 willing to pay to hold deposits for a specific time period, as 40
 measured by a third-party organization. 41

~~(3)~~(4) "Treasurer's assessment rate" means a number not 42
 exceeding ten per cent that is calculated in a manner determined 43
 by the treasurer of state and that seeks to account for the effect 44
 that varying tax treatment among different types of financial 45
 institutions has on the ability of financial institutions to pay 46
 competitive interest rates to hold deposits. 47

(B) The treasurer of state shall, in accordance with Chapter 48
 111. of the Revised Code, adopt rules addressing the participation 49
 of eligible lending institutions in the agricultural linked 50
 deposit program under sections 135.71 to 135.76 of the Revised 51
 Code, the business linked deposit program under sections 135.77 to 52
 135.774 of the Revised Code, ~~and~~ the adoption linked deposit 53
 program under sections 135.79 to 135.796 of the ~~Ohio~~ Revised Code, 54
and eligible savings institutions in the homeownership savings 55
linked deposit program under sections 135.98 to 135.986 of the 56
Revised Code, including, but not limited to, the manner in which 57
 an eligible lending institution or eligible savings institution is 58
 designated and the linked deposits are placed, held, and 59
 collateralized. Participation of eligible lending institutions and 60
savings institutions in those linked deposit programs shall not 61
 begin until these rules have been adopted. 62

(C) Notwithstanding any provision of law to the contrary, the 63
 treasurer of state may require an eligible lending institution or 64
eligible savings institution that holds public deposits under 65
 sections 135.61 to 135.67, 135.68 to 135.70, 135.71 to 135.76, 66
 135.77 to 135.774, ~~or~~ 135.79 to 135.796, or 135.98 to 135.986 of 67
 the Revised Code, and any institution mentioned in section 135.03 68
 of the Revised Code that holds public deposits under sections 69
 135.71 to 135.76 of the Revised Code, to pay interest at a rate 70
 not lower than the product of the prevailing interest rate 71
 multiplied by the sum of one plus the treasurer's assessment rate. 72
 The treasurer may adopt rules necessary for the implementation of 73
 this division. The rules shall be adopted in accordance with 74
 Chapter 119. of the Revised Code. 75

Sec. 135.98. As used in sections 135.98 to 135.986 of the 76
Revised Code: 77

(A) "Closing costs" means a disbursement listed on a closing disclosure for the purchase of a home by an eligible participant. 78
79

(B) "Closing disclosure" means the statement of receipts and disbursements for a transaction related to real estate, including a disclosure statement described under the "Real Estate Settlement Procedures Act of 1974," 12 U.S.C. 2601 et seq., and regulations thereunder. 80
81
82
83
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(C) "Discount interest rate" means an interest rate below the prevailing interest rate that the treasurer of state determines eligible savings institutions are willing to pay to hold homeownership savings linked deposits. 85
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(D) "Eligible home costs" means the down payment and closing costs for the purchase of a home by an eligible participant, or the transfer of funds from one homeownership savings linked deposit account to another homeownership savings linked deposit account at a different eligible savings institution. 89
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(E) "Eligible participant" means an individual who meets all the requirements necessary to participate in the homeownership savings linked deposit program created under sections 135.98 to 135.986 of the Revised Code. 94
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(F) "Eligible savings institution" means a financial institution that is eligible to offer accounts to residents of this state for the purpose of saving eligible home costs, agrees to participate in the homeownership savings linked deposit program, and is either of the following: 98
99
100
101
102

(1) A public depository of state funds under section 135.03 of the Revised Code; 103
104

(2) Notwithstanding any provision of sections 135.01 to 135.21 of the Revised Code to the contrary, a federal credit 105
106

union, a foreign credit union licensed pursuant to section 1733.39 107
of the Revised Code, or a credit union as defined in section 108
1733.01 of the Revised Code, located in this state. 109

(G) "Home" means a dwelling in this state to be owned and 110
occupied as a homestead by an eligible participant. "Home" 111
includes a house, condominium, unit in a multiple-unit dwelling, 112
manufactured home or mobile home taxed as real property pursuant 113
to division (B) of section 4503.06 of the Revised Code, or any 114
other real property that qualifies for a reduction under division 115
(B) of section 323.152 of the Revised Code, and so includes as 116
much of the land surrounding the dwelling as is reasonably 117
necessary for the use of the dwelling as a residence, as 118
determined by the treasurer of state. 119

(H) "Homeownership savings linked deposit account" means a 120
linked deposit savings account opened exclusively for the purpose 121
of paying eligible home costs and in compliance with the 122
requirements of sections 135.98 to 135.986 of the Revised Code. 123

(I) "Homestead" has the same meaning as in section 322.151 of 124
the Revised Code. 125

(J) "Linked deposit" means a certificate of deposit, share 126
certificate, other financial institution instrument, or portion of 127
an existing deposit of interim funds made in accordance with 128
section 135.09 of the Revised Code that is placed, purchased, or 129
designated by the treasurer of state with an eligible savings 130
institution; provided the institution agrees to pay the premium 131
savings rate to approved eligible participants, in accordance with 132
the deposit agreement required by section 135.983 of the Revised 133
Code. 134

(K) "Manufactured home" has the same meaning as in section 135
3781.06 of the Revised Code. 136

(L) "Mobile home" has the same meaning as in section 4501.01 of the Revised Code. 137
138

(M) "Other financial institution instrument" means a product that otherwise would pay the prevailing interest rate approved by the treasurer of state, for the purpose of providing eligible participants with the benefits of the applicable linked deposit program, and in accordance with the deposit agreement provided in section 135.983 of the Revised Code. 139
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(N) "Premium savings rate" means a rate, as established in section 135.984 of the Revised Code, that reflects the percentage rate increase above the present savings rate, as determined by the eligible savings institution, applicable to each eligible participant. 145
146
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(O) "Prevailing interest rate" means a current market interest rate selected by the treasurer of state that eligible savings institutions are willing to pay to hold deposits of the treasurer of state. 150
151
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153

(P) "Program period" means five years from the date the eligible participant opens a homeownership savings linked deposit account with the eligible savings institution. 154
155
156

(Q) "Treasurer of state's assessment rate" means a number not exceeding ten per cent that is calculated in a manner determined by the treasurer of state and that seeks to account for the effect that varying tax treatment among different types of financial institutions has on the ability of financial institutions to pay competitive interest rates to hold deposits. 157
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Sec. 135.981. (A) An eligible savings institution that desires to receive a linked deposit shall accept and review applications for a homeownership savings linked deposit account 163
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165

from eligible participants for the homeownership savings linked 166
deposit program in which the eligible savings institution 167
participates. 168

(B) An eligible participant shall certify on the 169
participant's homeownership savings linked deposit account 170
application that the eligible participant resides in the state, 171
that the funds in the homeownership savings linked deposit account 172
will be used exclusively for eligible program costs, and that the 173
eligible participant will hold not more than one homeownership 174
savings linked deposit account per program period at any eligible 175
savings institution. Whoever knowingly makes a false statement 176
concerning such application is guilty of the offense of 177
falsification under section 2921.13 of the Revised Code. 178

(C) The eligible savings institution shall forward to the 179
treasurer of state a homeownership savings linked deposit package, 180
in the form and manner prescribed by the treasurer of state. The 181
package shall include such information as required by the 182
treasurer of state. The institution shall certify that each 183
applicant is an eligible participant. 184

(D) No fee shall be charged to any party for the preparation, 185
processing, or reporting of any application to an eligible savings 186
institution for participation in a linked deposit program. 187

Sec. 135.982. (A) The treasurer of state may accept or reject 188
a homeownership savings linked deposit package, or any portion of 189
it, based on the treasurer of state's evaluation of the amount of 190
state funds to be deposited with an eligible savings institution. 191
 192

(B) Upon acceptance of the homeownership savings linked 193

deposit package, or any portion of it, the treasurer of state may 194
place, purchase, or designate a linked deposit with the eligible 195
savings institution at the discount interest rate, and in 196
accordance with the deposit agreement required under section 197
135.983 of the Revised Code and the procedures established by the 198
treasurer of state. 199

(C) Eligible savings institutions shall comply fully with 200
Chapter 135. of the Revised Code. 201

Sec. 135.983. (A) An eligible savings institution shall enter 202
into a deposit agreement with the treasurer of state, which shall 203
include the requirements necessary to carry out the purposes of 204
sections 135.98 to 135.986 of the Revised Code. 205

(B) The deposit agreement shall specify the maturity period 206
of the linked deposit considered appropriate by the treasurer of 207
state, which shall not exceed the length of the program period, as 208
well as any other information, terms, or conditions the treasurer 209
of state may require. Interest shall be paid by the eligible 210
savings institution at the times determined by the treasurer of 211
state. 212

Sec. 135.984. (A)(1) Upon the treasurer of state placing, 213
purchasing, or designating a homeownership savings linked deposit, 214
the eligible savings institution shall offer the premium savings 215
rate on a homeownership savings linked deposit account to each 216
approved eligible participant listed in the accepted homeownership 217
savings linked deposit package, and in accordance with the deposit 218
agreement required by section 135.983 of the Revised Code. The 219
premium savings rate shall apply to a homeownership savings linked 220
deposit account as determined by the treasurer of state. Unless 221
otherwise specified in the deposit agreement, the premium savings 222

rate shall be at a rate equal to or greater than the present 223
savings rate applicable to each specific eligible participant in 224
the accepted homeownership savings linked deposit package plus the 225
difference between the prevailing interest rate and the discount 226
interest rate at which the linked deposits were placed, made, or 227
designated. 228

(2) The premium savings rate shall only apply to a 229
homeownership savings linked deposit account for the duration of 230
the program period. After such time, the savings account is no 231
longer a homeownership savings linked deposit account, and the 232
eligible savings institution shall determine and apply a market 233
interest rate to the eligible participant's savings account. 234

(B) The eligible savings institution shall provide to the 235
treasurer of state a certificate of compliance with division (A) 236
of this section in the form and manner prescribed by the treasurer 237
of state. 238

(C) At the time of maturity, the eligible savings institution 239
shall return the amount of the corresponding linked deposit to the 240
treasurer of state in a timely manner, as prescribed by the 241
treasurer of state. 242

(D) The treasurer of state shall take any and all steps 243
necessary to implement and administer the homeownership savings 244
linked deposit program under sections 135.98 to 135.986 of the 245
Revised Code, including the adoption of rules. Such rules shall be 246
adopted in accordance with section 111.15 of the Revised Code. 247

Sec. 135.985. (A) The state and the treasurer of state are 248
not liable to any eligible savings institution or any eligible 249
participant in any manner for the terms associated with a 250

homeownership savings linked deposit account. Any misuse or 251
misconduct on the part of an eligible savings institution or 252
eligible participant does not in any manner affect the deposit 253
agreement required by section 135.983 of the Revised Code between 254
the eligible savings institution and the treasurer of state. 255

(B) If an eligible savings institution changes the terms of 256
an eligible participant's homeownership savings linked deposit 257
account, the amount of the linked deposit associated with the 258
account plus applicable interest and without early withdrawal 259
penalties shall be returned to the treasurer of state by the 260
eligible savings institution in a timely manner, as prescribed by 261
the treasurer of state. 262

Sec. 135.986. (A) The general assembly finds that making 263
homeownership more attainable is an important part of fostering a 264
robust and lasting population across the state. However, 265
individuals often struggle to accumulate the financial resources 266
needed to purchase a home. Accordingly, it is declared to be the 267
public policy of the state through the homeownership savings 268
linked deposit program to create an availability of premium rate 269
savings accounts for the down payment and closing costs associated 270
with the purchase of a home. 271

(B) An eligible participant for the homeownership savings 272
linked deposit program is an individual who is a resident of this 273
state and has applied for a homeownership savings account at an 274
eligible savings institution. 275

(C) An eligible participant shall certify on the application 276
that the funds in the homeownership savings linked deposit account 277
will be used exclusively for eligible home costs. 278

(D) A homeownership savings linked deposit account shall be 279
owned by not more than one eligible participant and an eligible 280
participant shall hold not more than one homeownership savings 281
linked deposit account per program period at any eligible savings 282
institution. 283

(E) Not later than January 31, 2027, the treasurer of state 284
and the tax commissioner shall issue a report regarding the 285
efficacy of the homeownership savings linked deposit program 286
created in sections 135.98 to 135.986 of the Revised Code. The 287
report shall contain all of the following: 288

(1) The number of accounts created; 289

(2) The number of participating eligible savings 290
institutions; 291

(3) The total amount contributed into the accounts; 292

(4) The total tax deductions claimed for the accounts under 293
division (A)(41) of section 5747.01 of the Revised Code; 294

(5) The average yield on the accounts; 295

(6) Any other information the treasurer of state or tax 296
commissioner deem relevant. 297

The report shall be delivered to the governor, the speaker of 298
the house of representatives, and the president of the senate." 299

After line 23445, insert: 300

"Sec. 1733.04. (A) In addition to the authority conferred by 301
 section 1701.13 of the Revised Code, but subject to any 302
 limitations contained in sections 1733.01 to 1733.45 of the 303
 Revised Code, and its articles and regulations, a credit union may 304
 do any of the following: 305

(1) Make loans as provided in section 1733.25 of the Revised Code; 306
307

(2) Invest its money as provided in section 1733.30 of the Revised Code; 308
309

(3) If authorized by the code of regulations, rebate to the borrowing members a portion of the member's interest paid to the credit union; 310
311
312

(4) If authorized by the regulations, charge a membership or entrance fee; 313
314

(5) Purchase group savings life insurance and group credit life insurance; 315
316

(6) Make reasonable contributions to any nonprofit civic, charitable, or service organizations; 317
318

(7) Act as trustee or custodian, for which reasonable compensation may be received, under any written trust instrument or custodial agreement created or organized in the United States and forming part of a tax-advantaged savings plan that qualifies for specific tax treatment under sections 223, 401(d), 408, 408A, and 530 of the Internal Revenue Code, 26 U.S.C. 223, 401(d), 408, 408A, and 530, as amended, for its members or groups of its members, provided that the funds of such plans are invested in share accounts or share certificate accounts of the credit union. These services include, but are not limited to, acting as a trustee or custodian for member retirement, education, or health savings accounts. 319
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(8) Participate in and pledge assets in connection with the business linked deposit program under sections 135.77 to 135.774 of the Revised Code, the agricultural linked deposit program under sections 135.71 to 135.76 of the Revised Code, ~~and~~ the adoption 331
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linked deposit program under sections 135.79 to 135.796 of the Revised Code, and the homeownership savings linked deposit program under sections 135.98 to 135.986 of the Revised Code.

(B) The authority of a credit union shall be subject to the following:

(1) A credit union may not borrow money in excess of twenty-five per cent of its shares and undivided earnings, without prior specific authorization by the superintendent of credit unions.

(2) A credit union may not pay a commission or other compensation to any person for securing members or for the sale of its shares, except that reasonable incentives may be made available directly to members or potential members to promote thrift.

(C)(1) A credit union may have service facilities other than its home office.

(2) Real estate may be acquired by lease, purchase, or otherwise as necessary and to the extent required for use of the credit union presently and in the future operation of its office or headquarters, and in case of a purchase of real estate, the superintendent must first be notified in writing prior to the purchase of the real estate. Nothing herein contained shall be deemed to prohibit a credit union from taking title to real estate in connection with a default in the payment of a loan, provided that title to such real estate shall not be held by the credit union for more than two years without the prior written approval of the superintendent. A credit union also may lease space in any real estate it acquires in accordance with rules adopted by the superintendent.

(D)(1) As used in division (D) of this section:

(a) "School" means an elementary or secondary school. 365

(b) "Student" means a child enrolled in a school. 366

(c) "Student branch" means the designation provided to the credit union for the in-school services and financial education offered to students. 367
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(2) A credit union, upon agreement with a school board, in the case of a public school, or the governing authority, in the case of a nonpublic school, and with the permission of the superintendent, may open and maintain a student branch. 370
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(3) Notwithstanding any other provision of this section, any student enrolled in the school maintaining a student branch who is not otherwise qualified for membership in the credit union maintaining the student branch is qualified to be a member of that student branch. 374
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(4) The student's membership in the student branch expires upon the student's graduation from secondary school. 379
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(5) The student branch is for the express use of students and may not be used by faculty, staff, or lineal ancestors or descendents of students. 381
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(6) Faculty, staff, or lineal ancestors or descendents of students are not eligible for membership in the credit union maintaining the student branch unless otherwise qualified by this section to be members. 384
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(7) The superintendent may adopt rules appropriate to the formation and operation of student branches. 388
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(E) A credit union may guarantee the signature of a member in connection with a transaction involving tangible or intangible property in which a member has or seeks to acquire an interest. 390
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Sec. 1733.24. (A) A credit union is authorized to receive 393
 funds for deposit in share accounts, share draft accounts, and 394
 share certificates from its members, from other credit unions, and 395
 from an officer, employee, or agent of the federal, state, or 396
 local governments, or political subdivisions of the state, in 397
 accordance with such terms, rates, and conditions as may be 398
 established by its board of directors, and for purposes of the 399
 agricultural linked deposit program created under sections 135.71 400
 to 135.76 of the Revised Code, the business linked deposit program 401
 created under sections 135.77 to 135.774 of the Revised Code, ~~and~~ 402
 the adoption linked deposit program under sections 135.79 to 403
 135.796 of the Revised Code, and the homeownership savings linked 404
deposit program under sections 135.98 to 135.986 of the Revised 405
Code. 406

(B) The shares and share accounts of the credit union may be 407
 of one or more classes, as designated by the board of directors, 408
 subject to approval of the superintendent of credit unions based 409
 on rules that shall assure equitable distribution of dividends 410
 among classes, considering costs and advantages of each class to 411
 the members of the credit union, including without limitation 412
 special services rendered, length of ownership, minimum 413
 investment, conditions of repurchase, and other appropriate 414
 standards or combinations thereof. In the event the articles of 415
 incorporation of the credit union indicate the authorized number 416
 of shares to be unlimited, the designation of classification of 417
 shares and share accounts of the credit union may be effected by 418
 the board of directors, subject to the approval of the 419
 superintendent, and does not require amendment of the articles of 420
 incorporation. All shares of the credit union shall have a par 421
 value per share as set by the board of directors. Redemptions and 422

liquidating dividends shall be prorated to each member on the 423
 basis of the price paid the credit union for such share, 424
 irrespective of the class of such shares. 425

(C)(1) Each credit union shall have one class of shares 426
 designated as "membership share." The membership shares, or if a 427
 credit union has but one class of shares, then all of the shares 428
 of the credit union, shall have a par value as set by the board of 429
 directors. 430

(2) Two or more persons that are eligible for membership that 431
 have jointly subscribed for one or more shares under a joint 432
 account each may be admitted to membership. 433

(D) A credit union need not issue certificates for any or all 434
 of its classes of shares but irrespective of whether certificates 435
 are issued, a registry of shares must be kept, including all of 436
 the transactions of the credit union pertaining to such shares. 437

(E) A credit union is authorized to maintain share draft 438
 accounts in accordance with rules prescribed by the 439
 superintendent. The credit union may pay dividends on share draft 440
 accounts, may pay dividends at different rates on different types 441
 of share draft accounts, and may permit the owners of such share 442
 draft accounts to make withdrawals by negotiable or transferable 443
 instruments or other orders for the purpose of making transfers to 444
 third parties. 445

(F) Unless otherwise provided by written agreement of the 446
 parties, the rights, responsibilities, and liabilities attaching 447
 to a share draft withdrawn from, transferred to, or otherwise 448
 handled by a credit union are defined in and governed by Chapters 449
 1303. and 1304. of the Revised Code, as if the credit union were a 450
 bank. 451

(G) Unless otherwise provided in the articles or regulations, 452
a member may designate any person or persons to own or hold 453
shares, or share accounts with the member in joint tenancy with 454
right of survivorship and not as tenants in common. 455

(H) Shares or share accounts may be issued in the name of a 456
custodian under the Ohio transfers to minors act, a member in 457
trust for a beneficiary, a fiduciary or custodian in trust for a 458
member beneficiary, or a fiduciary or custodian in trust upon the 459
death of a member. Redemption of such shares or payment of such 460
share accounts to a member, to the extent of the payment, 461
discharges the liability of the credit union to the member and the 462
beneficiary, and the credit union shall be under no obligation to 463
see to the application of the payment. Unless prior to the death 464
of a member, the member has notified the credit union in writing 465
in a form approved by the credit union of a different beneficiary 466
to receive the proceeds of such shares or share accounts, then the 467
proceeds shall be paid to the beneficiary or to the beneficiary's 468
parent or legal representative. Any payment made pursuant to 469
written instructions of the member or pursuant to the provisions 470
herein contained shall be a valid and sufficient release and 471
discharge of the credit union in connection with any such share or 472
share accounts. 473

(I)(1) Except as otherwise provided in the articles or 474
regulations, and subject to the provisions thereof, a minor may 475
purchase shares, share accounts, or other depository instruments, 476
and except for qualification as a voting member, the credit union 477
may deal with the minor with respect to shares, share accounts, or 478
other depository instruments owned by the minor as if the minor 479
were a person of legal age. 480

(2) If shares, share accounts, or other depository 481

instruments are issued in the name of a minor, redemption of any
 part or all of the shares or withdrawal of funds by payment to the
 minor of the shares or funds and any declared dividends or
 interest releases the credit union from all obligation to the
 minor as to the shares reduced or funds withdrawn.

(J) The regulations may require advance written notice of a
 member's intention to withdraw the member's shares. Such advance
 notice shall not exceed sixty days.

(K) Notwithstanding any provision of law to the contrary,
 funds deposited in a share account, share certificate, or in any
 other manner pursuant to a program offered by a credit union to
 promote consumer savings do not constitute valuable consideration
 for purposes of a scheme of chance under Chapter 2915. of the
 Revised Code."

After line 97917, insert:

"(41) Deduct amounts contributed to a homeownership savings
 account and calculated pursuant to divisions (B) and (C) of
 section 5747.84 of the Revised Code.

(42) If the taxpayer is the account owner, add the amount of
 funds withdrawn from a homeownership savings account not used for
 eligible expenses, regardless of who deposited those funds. As
 used in division (A)(42) of this section, "homeownership savings
 account," "account owner," and "eligible expenses" have the same
 meanings as in section 5747.84 of the Revised Code."

After line 99202, insert:

"Sec. 5747.84. (A) As used in this section:

(1) "Homeownership savings linked deposit account" has the
 same meaning as in section 135.98 of the Revised Code.

(2) "Account owner" means "eligible participant" as defined by section 135.98 of the Revised Code. 510
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(3) "Contributor" means the account owner or a parent, spouse, sibling, stepparent, or grandparent of the account owner who deposits funds into the homeownership savings linked deposit account. 512
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(4) "Lifetime contribution limit" means twenty-five thousand dollars of contributions per contributor per homeownership savings linked deposit account. 516
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(5) "Eligible expenses" means unreimbursed expenses paid by the account owner for home purchase costs for the account owner's primary residence and account fees imposed on the account owner. 519
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(6) "Primary residence" means a home located in this state that is or will be the account owner's principal place of residence at the time the eligible expenses are incurred and for which the account owner receives or will receive a reduction in real property taxes under division (B) of section 323.152 of the Revised Code. 522
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(7) "Home purchase costs" means "closing costs" as defined in section 135.98 of the Revised Code. 528
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(8) "Employer contribution" means the amount an employer contributes to a homeownership savings linked deposit account. 530
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(B) In computing Ohio adjusted gross income, a deduction from federal adjusted gross income is allowed to a contributor for amounts contributed to a homeownership savings linked deposit account to the extent that the amounts contributed have not already been deducted in computing the contributor's federal or Ohio adjusted gross income for the taxable year. The deduction shall equal the amount of contributions made by the taxpayer and, 532
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if filing a joint return, the taxpayer's spouse, except that the deduction shall not exceed, for any taxable year, ten thousand dollars for spouses filing a joint return or five thousand dollars for all other taxpayers for each homeownership savings linked deposit account to which contributions are made. If a taxpayer files a joint return, the deduction amount attributable to contributions made by each spouse shall not exceed five thousand dollars for each homeownership savings account to which contributions are made. A contributor is not entitled to a deduction under this section to the extent the deduction causes the contributor to exceed the lifetime contribution limit.

(C) In computing Ohio adjusted gross income, a deduction from federal adjusted gross income is allowed to an account owner for the following items:

(1) Interest earned on a homeownership savings linked deposit account to the extent the interest has not been otherwise deducted or excluded in computing an account owner's federal or Ohio adjusted gross income.

(2) Employer contributions made by an employer to an account owner's homeownership savings linked deposit account to the extent the employer contributions have not been otherwise deducted or excluded in computing an account owner's federal or Ohio adjusted gross income.

(D) The tax commissioner may request that a taxpayer claiming a deduction calculated under division (B) or (C) of this section furnish information necessary to support the claim for the deduction under this section, and no deduction shall be allowed unless the requested information is provided.

(E) The commissioner may adopt rules necessary to administer this section. Notwithstanding any provision of section 121.95 of

the Revised Code to the contrary, a regulatory restriction 569
contained in a rule adopted under division (E) of section 5747.84 570
of the Revised Code is not subject to sections 121.95 to 121.953 571
of the Revised Code." 572

In line 101242, after "131.51," insert "135.63, 135.78," 573

In line 101256, after "1710.06," insert "1733.04, 1733.24," 574

In line 163566, delete "amendment or"; after "of" insert 575
"division (A)(40) of" 576

After line 163583, insert: 577

"**Section 803.____**. The enactment by this act of divisions 578
(A)(41) and (42) of section 5747.01 and section 5747.84 of the 579
Revised Code apply to taxable years beginning on or after January 580
1, 2024." 581

The motion was _____ agreed to.

SYNOPSIS

Homeownership Savings Linked Deposit Program 582

R.C. 135.98, 135.981, 135.982, 135.983, 135.984, 135.985, 583
135.986, 135.63, 135.78, 1733.04, 1733.24, 5747.01, and 5747.84; 584
Sections 803.160 and 803.____ 585

Creates the Homeownership Savings Linked Deposit Program 586
administered by the Treasurer of State. 587

Authorizes eligible participants to receive above-market 588
interest rates on savings accounts with financial institutions 589
participating in the program for the purpose of down payment and 590
closing costs associated with the future purchase of primary 591

residence.	592
Authorizes an income tax deduction for amounts contributed to	593
a homeownership savings linked deposit account by a taxpayer,	594
interest on deposits, and employee contributions to an account, up	595
to \$10,000 per year for couples filing jointly and \$5,000 per year	596
for individuals, with a lifetime maximum per account of \$25,000.	597
Requires amounts withdrawn from a homeownership savings	598
linked deposit account and not used to purchase a home as a the	599
account owner's primary residence to be added to the account	600
owner's taxable income.	601
	602

_____ moved to amend as follows:

1 After line 155470, insert:

2 "Of the foregoing appropriation item 600689, TANF Block
3 Grant, \$300,000 in each fiscal year shall be provided, in
4 accordance with sections 5101.80 and 5101.801 of the Revised
5 Code, to support Inspirededucation's educational planning,
6 financial literacy, and college and career counseling services
7 to promote workforce development and reduce student loan debt."

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Department of Job and Family Services**

11 **Section 307.80**

12 Earmarks \$300,000 in each fiscal year in Fund 3V60 ALI
13 600689, TANF Block Grant, for Inspirededucation. Requires these
14 funds be used to support educational planning, financial
15 literacy, and college and career counseling services to promote
16 workforce development and reduce student loan debt.

_____ moved to amend as follows:

1 In line 151214, delete "\$62,000,000" and insert
2 "\$66,500,000"

3 In line 151215, add \$4,500,000 to fiscal year 2024

4 In line 151261, add \$4,500,000 to fiscal year 2024

5 In line 151658, delete "The" and insert "Of the"; after the
6 second comma insert "\$62,000,000"

7 After line 151660, insert:

8 "Of the foregoing appropriation item 1956G7, Local
9 Projects, \$4,500,000 in fiscal year 2024 shall be allocated to
10 the North East Ohio Medical School for the creation and running
11 of a new Certified Mental Health Assistant Program."

12 In line 162592, delete "\$62,000,000" and insert
13 "\$66,500,000"

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Department of Development**

17 **Sections 259.10 and 259.30**

18 Increases Local Projects Fund (Fund 5ZZ0) ALI 1956G7, Local
19 Projects, by \$4,500,000 in fiscal year 2024.

HC3048X1

20 Earmarks this amount for the North East Ohio Medical School
21 for the creation and running of a new Certified Mental Health
22 Assistant Program.

23 **FY 2023 General Revenue Fund ending balance**

24 **Section 513.10**

25 Increases the amount of cash that must be transferred to
26 the Local Projects Fund (Fund 5ZZ0) from the surplus balance in
27 the GRF at the end of FY 2023 from \$62,000,000 to \$66,500,000.

_____ moved to amend as follows:

1 After line 155453, insert:

2 "Of the foregoing appropriation item 600689, TANF Block
3 Grant, \$1,000,000 in each fiscal year shall be used, in
4 accordance with sections 5101.80 and 5101.801 of the Revised
5 Code, to support the Somali Community Link's Social Service
6 Program."

7 The motion was _____ agreed to.

8 SYNOPSIS

9 **Department of Job and Family Services**

10 **Section 307.80**

11 Earmarks \$1,000,000 in each fiscal year in Fund 3V60 ALI
12 600689, TANF Block Grant, for the Somali Community Link's Social
13 Service Program.

_____ moved to amend as follows:

1 In line 163310, delete the colon

2 In line 163311, delete "(1) "Rural" and insert ", "rural";
3 after the second "county" insert "that does not contain a
4 municipal corporation"; delete "of not"

5 In line 163312, delete "more" and insert "greater"; delete
6 "ninety" and insert "sixty-five"

7 Delete lines 163314 through 163316

8 In line 163328, after "benefit" insert "two or more
9 connected"

10 In line 163333, after "county" insert "with a population of
11 not more than ninety thousand residents"

12 In line 163342, after "between" insert "two or more
13 connected"

14 The motion was _____ agreed to.

15

SYNOPSIS

16

Connect4Ohio Program qualifying counties

17

Section 755.30

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Expands the rural counties primarily eligible for funding through the Connect4Ohio Program by removing the overall county population limitation of 90,000 residents or less.

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Instead, specifies that a rural county is a county that does not contain a municipal corporation with a population greater than 65,000 residents, according to the most recent federal decennial census.

25

26

27

Retains the bill's current requirement that bridge replacement through the Program occur in counties with a population of 90,000 residents or less.

28

Makes conforming changes in the Program language.

_____ moved to amend as follows:

1 In line 50439, delete "(a)"

2 In line 50440, delete "meet the requirements specified in
3 division (A) (3) (b) of this" and insert "demonstrate that the
4 applicant owns at least fifty per cent of the nursing home and
5 its assets or at least fifty per cent of the entity that owns
6 the nursing home and its assets"

7 In line 50441, delete "section,"

8 In line 50447, delete "(i)" and insert "(a)"

9 In line 50451, after "license" insert ". The bond or other
10 financial security shall be released five years after the
11 effective date of the change of operator if none of the events
12 described in division (A) (3) (b) of this section have occurred"

13 In line 50452, reinsert "(b)"

14 In line 50458, delete "(ii)"

15 In line 50459, delete "(A) (3) (a) (i)" and insert "(A) (3)"

16 In line 50462, delete "(I)" and insert "(1)"

17 In line 50463, delete "(II)" and insert "(2)"

18 In line 50465, delete "(III)" and insert "(3)"

19 In line 50467, delete "(IV)" and insert "(4)"

20 In line 50469, delete "(V)" and insert "(5)"

21 In line 50472, delete "(VI)" and insert "(6)"

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22 Delete lines 50474 through 50480

23 In line 50481, delete "for at least sixty consecutive
24 months"; strike the period

25 In line 50488, delete "five" and insert "fifty"

26 In line 50505, reinsert "The"

27 In line 50506, after "~~for~~" insert "director shall conduct a
28 survey of"

29 In line 50507, reinsert "the nursing home"; after "~~period~~"
30 insert "not more than sixty days"; reinsert "after the"

31 In line 50508, after "~~transfer~~" insert "effective date";
32 reinsert "of the"; after "~~home~~" insert "change of operator";
33 reinsert the stricken period

34 In line 50515, after "(C)" insert "(1)"

35 In line 50518, delete "If" and insert "The director shall
36 deny a change of operator license application if"

37 In line 50519, delete ", the director shall deny a change
38 of operator"

39 In line 50520, after "application" insert "or if the
40 applicant has or had fifty per cent or more direct or indirect
41 ownership in the operator or manager of a current or previously
42 licensed nursing home in this state or another state with
43 respect to which any of the following occurred within the five
44 years immediately preceding the date of application:

45 (a) Involuntary closure of the nursing home by a regulatory
46 agency or voluntary closure in response to licensure or
47 certification action;

HC3078X1

48 (b) Voluntary or involuntary bankruptcy proceedings that
49 are not dismissed within sixty days;

50 (c) Voluntary or involuntary receivership proceedings that
51 are not dismissed within sixty days;

52 (d) License suspension, denial, or revocation for failure
53 to comply with operating standards.

54 (2)"

55 In line 86090, delete "direct, unshared"

56 In line 86092, delete "direct, unshared"; after "sink"
57 insert "shared by not more than one other resident"

58 In line 86431, delete "either"

59 In line 86436, after "section" insert ";"

60 (c) The applicant created private rooms by reducing the
61 number of available beds without reducing the licensed capacity
62 of the facility"

63 In line 86772, after "shall" insert "utilize the facility's
64 occupancy rate for licensed beds reported on its cost report for
65 the calendar year preceding the fiscal year for which the rate
66 is determined or, if the facility is not required to be
67 licensed, the facility's occupancy rate for certified beds. If
68 the facility surrenders licensed or certified beds before the
69 first day of May of the calendar year in which the fiscal year
70 begins, the department shall"

71 In line 86777, after "licensed" insert ", or if applicable,
72 certified"

HC3078X1

73 In line 86783, after the underlined period insert "This
74 division does not apply to a nursing facility that is owned by a
75 county and operated by a person other than the county."

76 In line 86859, after "shall" insert "utilize the facility's
77 occupancy rate for licensed beds reported on its cost report for
78 the calendar year preceding the fiscal year for which the rate
79 is determined or, if the facility is not required to be
80 licensed, the facility's occupancy rate for certified beds. If
81 the facility surrenders licensed or certified beds before the
82 first day of May of the calendar year in which the fiscal year
83 begins, the department shall"

84 In line 86864, after "licensed" insert ", or if applicable,
85 certified"

86 In line 87015, after "shall" insert "not"; after "payment"
87 insert "until the earlier of the first day of January or the
88 first day of July that is at least six months after the
89 effective date of the change of operator"; restore the stricken
90 period; delete "for"; strike through "the"

91 In line 87016, strike through "state fiscal year"; delete
92 "that begins in the"

93 Delete line 87017

94 In line 87018, delete "operator, and subsequent fiscal
95 years"; delete ". The" and insert "Thereafter"

96 In line 87022, delete "(a)"

97 Delete lines 87024 through 87026

HC3078X1

98 In line 87027, delete "(ii) The incoming" and insert "the
99 entering"

100 Delete lines 87030 through 87032

101 In line 87033, delete "(b) A" and insert "The"; delete
102 "that meets the conditions in division"

103 In line 87034, delete "(E) (3) (a) of this section"

104 The motion was _____ agreed to.

105 SYNOPSIS

106 **Nursing home change of operator**

107 **R.C. 3721.026**

108 For purposes of the bond required of certain applicants for
109 a change of operator, includes an applicant that does not own at
110 least 50% of the nursing home and its assets or at least 50% of
111 the entity that owns the nursing home and its assets.

112 Requires a bond or other financial security to be released
113 five years after the effective date of a change of operator if
114 none of certain specified events occur.

115 Establishes additional criteria under which the ODH
116 Director may deny a change of operator license application.

117 **Nursing facility low occupancy deduction**

118 **R.C. 5165.23**

119 To references to licensed nursing facilities, adds
120 clarifying language regarding a nursing facility that is
121 certified by CMS but not licensed by ODH.

122 Specifies that the low occupancy deduction does not apply
123 to nursing facilities owned by a county and operated by a person
124 other than the county.

125 **Nursing facility quality incentive payment**

126 **R.C. 5165.26**

HC3078X1

127 To references to licensed nursing facilities, adds
128 clarifying language in the event that the nursing facility is
129 certified by CMS but not licensed by ODH.

130 Specifies that nursing facilities that undergo a change of
131 operator but do not meet the bill's criteria making the facility
132 eligible for a quality incentive payment will not receive a
133 quality incentive payment until January 1 or July 1 six months
134 after the change.

135 Modifies the eligibility criteria to require the facility
136 to meet the licensure requirements for nursing homes and not be
137 cited for immediate jeopardy in its inspection survey, instead
138 of requiring the operator to operate at least one nursing
139 facility in Ohio for at least 60 months and at no time
140 voluntarily or involuntarily closed a facility or had a license
141 suspended or revoked.

_____ moved to amend as follows:

1 Delete lines 160189 through 160209

2 In line 160210, delete "(c)" and insert "(2)

3 Notwithstanding anything to the contrary in the Revised Code, if
4 the Chancellor of Higher Education determines the amounts
5 appropriated for support of the Ohio College Opportunity Grant
6 Program are inadequate to provide grants to all eligible
7 students in the amounts specified in division (D) of section
8 3333.122 of the Revised Code, the Chancellor shall determine a
9 method to calculate awards under that section for students
10 attending eligible institutions in each fiscal year based on the
11 amounts appropriated from the foregoing appropriation item
12 235563, Ohio College Opportunity Grant."

13 In line 160212, after "(3)" delete the balance of the line

14 Delete lines 160213 through 160216

15 In line 160217, delete everything before "If"

16 In line 160227, delete "and section 3333.122 of the Revised
17 Code"

18 In line 160241, delete "specified" and insert "determined"

19 The motion was _____ agreed to.

20 SYNOPSIS

21 **Department of Higher Education**

22 **Section 381.490**

23 Requires the Chancellor of Higher Education to determine a
24 method to calculate Ohio College Opportunity Grant (OCOG) awards
25 for students attending eligible institutions in each fiscal year
26 based on the amounts appropriated from GRF ALI 235563, Ohio
27 College Opportunity Grant, if the Chancellor determines those
28 appropriations are inadequate to provide grants to all eligible
29 students using the specified award amounts listed under
30 permanent OCOG law.

31 Eliminates the specified OCOG award levels in temporary law
32 in the current version of the bill.

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TAXCD54

_____ moved to amend as follows:

- In line 98987, strike through "In fiscal year 2014 and thereafter, the" and insert "The" 1 2
- In line 98989, strike through "or the" 3
- Strike through line 98990 4
- In line 98991, strike through "amount is smaller" 5

The motion was _____ agreed to.

SYNOPSIS

- Local Government Fund minimum county distributions** 6
- R.C. 5747.501** 7
- Increases, beginning in FY 2024, the floor for the amount distributed from the LGF to county undivided funds from the lesser of \$850,000 or the amount that was distributed in FY 2013 to \$850,000 for all counties. The increased funds are reallocated from other county LGF distributions proportionately. The substitute bill increases the floor from the lesser of \$750,000 or the amount received in FY 2013, to the lesser of \$850,000 or that 8 9 10 11 12 13 14

2013 amount.

15

_____ moved to amend as follows:

1 In line 158190, delete "\$2,000,000" and insert "\$2,250,000"

2 In line 158199, add \$250,000 to fiscal year 2024

3 In line 158265, add \$250,000 to fiscal year 2024

4 After line 158306, insert:

5 "Of the foregoing appropriation item 763511, Local Disaster
6 Assistance, \$250,000 in fiscal year 2024 shall be distributed to
7 the City of Columbiana for a mobile command post."

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Department of Public Safety**

11 **Sections 373.10 and 373.20**

12 Increases GRF ALI 763511, Local Disaster Assistance, by
13 \$250,000 in FY 2024 and earmarks the increase for distribution
14 to the City of Columbiana for a mobile command post.

_____ moved to amend as follows:

1 In line 33 of the title, delete "1531.13, 1531.131,
2 1531.14,"

3 In line 44 of the title, delete "2935.03,"

4 In line 474, delete "1531.13, 1531.131, 1531.14,"

5 In line 482 of the title, delete "2935.03,"

6 Delete lines 21703 through 21839

7 Delete lines 29843 through 30333

8 In line 101254, delete "1531.13, 1531.131, 1531.14,"

9 In line 101262, delete "2935.03,"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Prohibit wildlife officer warrantless searches and arrests**
13 **- remove**

14 **R.C. 1531.13, 1521.131, 1531.14, and 2935.03**

15 Removes the bill's provisions that do both of the
16 following:

17 1. Require a wildlife officer and any other employee of
18 ODNR's Division of Wildlife to obtain a warrant or permission
19 before entering upon private lands; and

20 2. Require a wildlife officer to obtain a warrant before
21 exercising the officer's arrest authority.

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_____ moved to amend as follows:

In line 71 of the title, after "3327.01," insert "3327.021," 1

In line 503, after "3327.01," insert "3327.021," 2

After line 44961, insert: 3

"**Sec. 3327.021.** The department of education shall monitor 4
each city, local, or exempted village school district's compliance 5
with sections 3327.01 and 3327.016 and division (B) of section 6
3327.017 of the Revised Code. If the department determines a 7
consistent or prolonged period of noncompliance on the part of the 8
school district to provide transportation as required under those 9
sections, the department shall deduct from the district's payment 10
for student transportation under Chapter 3317. of the Revised Code 11
the ~~total~~ daily amount of that payment, as computed by the 12
department, for the number of students who did not receive the 13
required transportation, including students who arrived to school 14
late, under those sections for each day that the district is not 15
in compliance." 16

This section does not affect the authority of a school 17
district to provide payment in lieu of transportation in 18
accordance with section 3327.02 of the Revised Code. 19

In line 101283, after "3327.01," insert "3327.021," 20

The motion was _____ agreed to.

SYNOPSIS

Transportation fees	21
R.C. 3327.021	22
Requires the Department of Education to determine penalty	23
fees related to transportation based upon the number of students	24
affected rather than the total daily transportation payment	25
amount.	26

_____ moved to amend as follows:

1 In line 157006, delete "\$17,500,000 \$17,500,000" and
2 insert "\$18,000,000 \$18,000,000"

3 In line 157015, add \$500,000 to each fiscal year

4 In line 157033, add \$500,000 to each fiscal year

5 After line 157633, insert:

6 **"Section 337. __ BEHAVIORAL HEALTH CARE**

7 Of the foregoing appropriation item 336615, Behavioral
8 Health Care, \$500,000 in each fiscal year shall be distributed
9 to the Nord Center in Lorain County and used to offer continuing
10 comprehensive behavioral health services."

11 After line 162570, insert:

12 "BEHAVIORAL HEALTH CARE-CHILDREN

13 On July 1 of each fiscal year, or as soon as possible
14 thereafter, the Director of Budget and Management shall transfer
15 \$500,000 cash from the General Revenue Fund to the Behavioral
16 Health Care-Children Fund (Fund 5AU0)."

17 The motion was _____ agreed to.

18

SYNOPSIS

19

Department of Mental Health and Addiction Services

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Sections 337.10, 337.__, and 512.10

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Increases Fund 5AU0 ALI 336615, Behavioral Health Care, by \$500,000 in each fiscal year. Requires these funds to be distributed to the Nord Center in Lorain County and used to offer continuing comprehensive behavioral health services.

25

26

Requires the OBM Director to transfer \$500,000 from the GRF to Fund 5AU0 in each fiscal year.

_____ moved to amend as follows:

1 In line 2237, reinsert "2919.12, 2919.22, 2919.24,
2 2919.25,"

3 In line 79306, delete "an"

4 Delete lines 79307 and 79308 and insert "information
5 obtained from a central registry of abuse or neglect maintained
6 by another state,"

7 In line 79316, delete "an offense of another"

8 Delete line 79317

9 In line 79318, delete "offense listed in that division" and
10 insert "information obtained from a central registry of abuse or
11 neglect maintained by another state"

12 In line 79427, delete "5107.251" and insert "5103.251";
13 delete "5107.255" and insert "5103.255"

14 In line 79436, delete ", 5103.252, 5103.253, and" and
15 insert "to"

16 In line 79440, delete ", 5103.252, and 5103.253" and insert
17 "to 5103.254"

18 In line 79447, delete "5107.251" and insert "5103.251";
19 delete "5107.255" and insert "5103.255"
20 In line 79464, delete "5107.251" and insert "5103.251"
21 In line 79465, delete "5107.258" and insert "5103.258"

22 The motion was _____ agreed to.

23 SYNOPSIS

24 **ODJFS background check changes**

25 **R.C. 109.572, 5103.252, 5103.256, 5103.258, and 5103.259**

26 Reinstates current law repealed by the Executive version
27 that requires the Bureau of Criminal Identification and
28 Investigation (BCII) Superintendent to check for the following
29 misdemeanor offenses when conducting criminal records checks for
30 adoptive parents working with an adoption agency, foster
31 caregivers, and association or institution employees or
32 appointees:

- 33 - Unlawful abortion;
- 34 - Endangering children;
- 35 - Contributing to unruliness or delinquency of a child;
- 36 - Domestic violence.

37 Replaces the Executive provision authorizing the ODJFS
38 Director to deny or revoke the appointment, employment,
39 engagement, certification, or approval of a foster caregiver,
40 adoptive parent, or employee of an institution or association
41 based on another state's substantially equivalent offense to
42 instead permit denial or revocation based on information
43 obtained from another state's central registry of abuse or
44 neglect.

45 Corrects cross-reference errors.

_____ moved to amend as follows:

1 In line 34323, delete "or"

2 In line 34324, after "center" insert ", a special education
3 program operated by the county board of developmental
4 disabilities under section 3323.09 of the Revised Code, or a
5 facility offering juvenile day treatment services"

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Reimbursements to make reduced-price schools meals free**

9 **R.C. 3301.91**

10 Qualifies special education programs operated by a county
11 board of developmental disabilities and facilities offering
12 juvenile day treatment services for reimbursements for reduced-
13 price school meals.

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CACCD5

_____ moved to amend as follows:

- In line 93 of the title, delete "3775.10," 1
- In line 519, delete "3775.10," 2
- In line 55582, delete "any horse race," 3
- In line 55598, reinsert "(0)(3)"; delete "(0)(4)" 4
- In line 55606, after "(3)" delete the balance of the line 5
- Delete lines 55607 through 55610 6
- In line 55611, delete "(4)" 7
- In line 55612, reinsert "Wagering"; delete "Pari-mutuel
wagering"; delete "the outcome of a" 8
9
- In line 55613, reinsert "racing"; delete the balance of the 10
line 11
- In line 55614, delete "Code" 12
- Delete lines 55746 through 55867 13
- In line 101299, delete "3775.10," 14

The motion was _____ agreed to.

SYNOPSIS

Sports gaming wagers on horse racing	15
R.C. 3775.01 and 3775.10	16
Removes provisions of the substitute bill that did all of the	17
following:	18
-Allowed sports gaming proprietors to accept wagers on horse	19
racing, other than pari-mutuel wagers on horse races;	20
-Required CAC to approve the method of wagering in	21
cooperation with RAC, for wagering on horse races regulated by the	22
Racing Commission;	23
-Required a sports gaming proprietor that offered wagering on	24
horse racing conducted outside Ohio during a given year to also	25
offer wagering on horse racing in Ohio at all times throughout the	26
year.	27

_____ moved to amend as follows:

1 In line 41 of the title, delete "2915.01, 2915.02, 2915.06,
2 2915.08,"

3 In line 42 of the title, delete "2915.101, 2915.13,
4 2915.14,"

5 In line 92 of the title, delete "3774.01,"

6 In line 480, delete "2915.01, 2915.02, 2915.06, 2915.08,"

7 In line 481 delete "2915.101, 2915.13, 2915.14,"

8 In line 518, delete "3774.01,"

9 Delete lines 26014 through 27558

10 Delete lines 55456 through 55517

11 In line 101260, delete "2915.01, 2915.02, 2915.06,
12 2915.08,"

13 In line 101261, delete "2915.101, 2915.13, 2915.14,"

14 In line 101298, delete "3774.01,"

15 The motion was _____ agreed to.

16

SYNOPSIS

17

Charitable gaming

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R.C. 2915.08, 2915.101, 2915.13, and 2915.14; conforming changes in R.C. 2915.01, 2915.02, 2915.06, and 3774.01

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Removes the provision that allowed a veteran's organization, fraternal organization, or sporting organization licensed to conduct electronic instant bingo or instant bingo, as applicable, to donate the proceeds from a bingo session to a nonprofit located outside Ohio if the nonprofit is affiliated with the licensed organization conducting bingo.

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Restores the threshold in current law, \$250,000, past which a veteran's, fraternal, or sporting organization must donate at least half of the net profit from the conduct of instant bingo or electronic instant bingo.

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Restores the licensing fees found in current law for type II or type III licenses for a charitable organization to conduct instant bingo or electronic instant bingo.

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36

Removes the provision that allowed a veteran's or fraternal organization affiliated with a national organization to conduct electronic instant bingo, if the national organization existed on or before June 30, 2021.

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Restores to 12 the number of hours a veteran's, fraternal, or sporting organization may sell instant bingo or electronic instant bingo in a given day.

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Removes the provision that allowed a veteran's, fraternal, or sporting organization to begin selling instant bingo or electronic instant bingo as early as 8:00 a.m. and restores the earliest time to 10:00 a.m.

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46

Restores to ten the number of electronic bingo systems a charitable organization may operate to conduct electronic instant bingo.

_____ moved to amend as follows:

1 In line 158856, delete "\$3,075,000 \$3,280,000" and insert

2 "\$3,575,000 \$3,780,000"

3 In line 158881, add \$500,000 to each fiscal year

4 In line 158908, add \$500,000 to each fiscal year

5 In line 160064, delete "\$500,000" and insert "\$1,000,000"

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Higher Education**

9 **Sections 381.10 and 381.410**

10 Increases GRF ALI 235533, Program and Project Support, by
11 \$500,000 in each fiscal year. Increases, by the same amounts,
12 the earmark for the Ohio Aerospace Institute's Space Grant
13 Consortium.

Sub. H.B. 33
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_____ moved to amend as follows:

In line 154551, after "(A)" insert "Of the foregoing
 appropriation item 230652, Career-Technical Construction Program,
 \$7,613,000 in fiscal year 2024 shall be distributed to the
 Sandusky City School District to support the projects described in
 this division. Of these funds, \$2,785,500 in fiscal year 2024
 shall be used for a new culinary facility and \$4,827,500 in fiscal
 year 2024 shall be used for a new welding facility. An amount
 equal to the unexpended, unencumbered balance of this set-aside at
 the end of fiscal year 2024 is hereby reappropriated for the same
 purposes in fiscal year 2025.

(B)(1)"; after "The" insert "remainder of the" 11

In line 154566, delete "(B)" and insert "(2)" 12

In line 154567, delete all after "the" and insert "amount
 allocated in division (B)(1) of this section" 13
 14

In line 154568, delete "Construction Program," 15

In line 154570, delete "(C)" and insert "(3)"; delete "(A)"
 and insert "(B)" 16
 17

The motion was _____ agreed to.

SYNOPSIS

Ohio Facilities Construction Commission	18
Section 287.20	19
Earmarks \$7,613,000 in FY 2024 from Fund 5CV3 ALI 230652,	20
Career-Technical Construction Program, for certain facilities	21
projects of the Sandusky City School District and requires the	22
earmark to be used as follows:	23
(1) \$2,785,500 in FY 2024 for a new culinary facility;	24
(2) \$4,827,500 in FY 2024 for a new welding facility.	25
Reappropriates the available balance of the earmark at the	26
end of FY 2024 for the same purposes in FY 2025.	27

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L-135-0001-3

_____ moved to amend as follows:

- In line 81 of the title, after "3701.78," insert "3701.83," 1
- In line 199 of the title, after "3706.051," insert "3724.01,
3724.02, 3724.03, 3724.04, 3724.05, 3724.06, 3724.07, 3724.08,
3724.09, 3724.10, 3724.11, 3724.12, 3724.13, 3724.14, 3724.99," 2
3
- In line 246 of the title, after "111.15" insert ", 3701.83," 4
- In line 510, after "3701.78," insert "3701.83," 5
- In line 597, after "3706.051," insert "3724.01, 3724.02,
3724.03, 3724.04, 3724.05, 3724.06, 3724.07, 3724.08, 3724.09,
3724.10, 3724.11, 3724.12, 3724.13, 3724.14, 3724.99," 6
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- After line 48938, insert: 10
- "**Sec. 3701.83.** There is hereby created in the state treasury 11
the general operations fund. Moneys in the fund shall be used for 12
the purposes specified in sections 3701.04, 3701.344, 3702.20, 13
3711.16, 3717.45, 3718.06, 3721.02, 3721.022, 3724.14, 3729.07, 14
3733.43, 3748.04, 3748.05, 3748.07, 3748.12, 3748.13, 3749.04, 15
3749.07, 4736.06, and 4769.09 of the Revised Code." 16
- After line 51084, insert: 17
- "**Sec. 3724.01.** As used in this chapter: 18

(A) "Controlling person" means either of the following: 19

(1) A business entity, officer, program administrator, or director whose responsibilities include directing the management or policies of a health care staffing support service; 20
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22

(2) An individual who, directly or indirectly, owns an interest in a business entity described in division (A)(1) of this section. 23
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(B) "Health care personnel" means any licensed health care professional or unlicensed health care personnel who provides care, support, or services directly to patients. 26
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(C) "Health care provider" means any of the following: 29

(1) A home, as defined in section 3721.10 of the Revised Code; 30
31

(2) A home health agency, as defined in section 3740.01 of the Revised Code; 32
33

(3) A hospice care program, as defined in section 3712.01 of the Revised Code; 34
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(4) A residential facility, as defined in section 5123.19 of the Revised Code; 36
37

(5) A residential facility, as defined in section 5119.34 of the Revised Code; 38
39

(6) A community addiction services provider, as defined in section 5119.01 of the Revised Code; 40
41

(7) A community mental health services provider, as defined in section 5119.01 of the Revised Code; 42
43

(8) A medicaid provider who provides medicaid waiver component services, as defined in section 5166.01 of the Revised 44
45

Code. 46

(D) "Health care staffing support service" means a person that is regularly engaged in the business of providing, procuring, or matching, for a fee, health care personnel to serve as temporary staff for health care providers. "Health care staffing support service" includes an online health care staff matching service and a health care worker platform. "Health care staffing support service" does not include either of the following: 47
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(1) An individual who is engaged only in providing or offering that individual's services to health care providers as a temporary employee or contractor; 54
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(2) A government entity. 57

(E) "Online health care staff matching service" means a person that operates or offers an electronic platform or application on which health care personnel employed by the service may be listed as available to serve as temporary staff for health care providers. 58
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(F) "Health care worker platform" means a person that operates or offers an electronic platform or application on which health care personnel who are independent contractors may be listed as available to serve as temporary staff for health care providers. 63
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Sec. 3724.02. (A) Each health care staffing support service shall annually register with the director of health. For purposes of the registration requirement, each physical location of a health care staffing support service shall separately register with the director. 68
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(B) The director shall establish registration application 73

forms and procedures. Each registration application shall be 74
accompanied by the fee set forth in division (C) of this section 75
and include at least the following: 76

(1)(a) The name and address of each owner with an interest of 77
five per cent or more in the health care staffing support service, 78
except that if that information does not result in a disclosure of 79
at least eighty-five per cent of the ownership of the service, all 80
owners shall be disclosed; 81

(b) If an owner is not a natural person, the name and address 82
of each natural person with more than a five per cent interest in 83
that owner. 84

(2) If the health care staffing support service or an owner 85
is a corporation, a copy of the associated articles of 86
incorporation and current bylaws, and the name and address of each 87
officer and director; 88

(3) A copy of the health care staffing support service's 89
policies and procedures designed to ensure compliance with 90
divisions (A)(4) and (5) of section 3724.07 of the Revised Code; 91

(4) A copy of the health care staffing support service's 92
policies and procedures regarding record retention and 93
availability designed to ensure compliance with divisions (A)(6) 94
and (7) of section 3724.07 of the Revised Code; 95

(5) Certification that the health care staffing support 96
service has not had a registration revoked under this chapter 97
within the three years immediately preceding the date of the 98
application. 99

(C) Each applicant for registration of a health care staffing 100
support service shall pay an application fee in the amount of two 101
thousand dollars. The fee is nonrefundable. 102

Sec. 3724.03. The director of health shall review each application received under section 3724.02 of the Revised Code for registration of a health care staffing support service. The director shall register a health care staffing support service if the applicant has submitted a complete application, paid the application fee, and demonstrated to the director's satisfaction that the requirements for registration as set forth in this chapter are met. 103
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Sec. 3724.04. A registration issued under this chapter to a health care staffing support service is valid for one year from the date of its issuance, unless one of the following is the case: 111
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(A) The service's registration is earlier revoked or suspended. 114
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(B) The service is sold. 116

(C) The service's ownership or management is transferred such that forty per cent or more of the owners or managers of the service were not previously registered under this chapter. 117
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Sec. 3724.05. (A) A health care staffing support service that has provided staffing support services during the year preceding the health care staffing support service's registration renewal date may renew the service's registration by applying to the director of health using a registration renewal form established by the director and complying with any renewal application procedures established by the director. 120
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(B) The director of health shall establish forms and procedures for processing applications for the annual renewal of registrations issued under this chapter. The director shall charge 127
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a fee of two thousand dollars for renewal. The fee is 130
nonrefundable. 131

(C) An application for renewal shall include all of the 132
following information: 133

(1) A description of any changes to the items described in 134
division (B) of section 3724.02 of the Revised Code; 135

(2) Documentation demonstrating that the health care staffing 136
support service provided staffing support services to health care 137
providers during the calendar year immediately preceding the 138
registration renewal date. 139

(D) An applicant for registration renewal shall pay the 140
renewal fee during the month of the renewal date. If an applicant 141
fails to pay the renewal fee during that month, the applicant 142
shall pay a late fee of two hundred dollars in addition to the 143
renewal fee. If the renewal fee or any late fee is not paid by the 144
thirtieth day after the renewal date, the director may, in 145
accordance with Chapter 119. of the Revised Code, revoke the 146
health care staffing support service's registration. 147

(E) The director shall review all applications received for 148
registration renewal. If an application is complete, the renewal 149
fee and any late fee have been paid, and the director determines 150
that the applicant meets all other eligibility requirements, the 151
director shall renew the applicant's registration to operate a 152
health care staffing support service. 153

(F) A health care staffing support service that has not 154
provided staffing support services during the year preceding the 155
health care staffing support service's registration renewal date 156
is ineligible for renewal, but may apply for a new registration 157
under section 3724.02 of the Revised Code. 158

Sec. 3724.06. (A) Except as provided in division (B) of this section, no person shall knowingly operate a health care staffing support service unless the person is registered under this chapter. 159
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(B) In the case of a health care staffing support service that is operating on the effective date of this section, an application for registration shall be submitted under section 3724.02 of the Revised Code not later than thirty days after the effective date of this section. If the application is submitted accordingly, the staffing support service may continue to operate without being registered until the earlier of the following: 163
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(1) The date a final decision is made by the director of health to deny the registration; 170
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(2) The date that is one hundred twenty days after the effective date of this section. 172
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Sec. 3724.07. (A) Each health care staffing support service registered under this chapter shall do all of the following: 174
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(1)(a) Except as provided in division (A)(1)(b) of this section, ensure that when the health care staffing support service assigns or otherwise agrees to provide health care personnel to a health care provider to work for a specific shift or other time period, the assigned personnel or a substitute works for the agreed time period at no additional charge to the provider; 176
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(b) In the case of a health care worker platform utilizing independent contractors, do all of the following: 182
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(i) Use its best efforts to secure a substitute for assigned personnel who do not work an assigned shift or time period; 184
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(ii) In its contracts with independent contractors, prohibit contractors from failing to work an assigned shift or time period, except for good cause or with twenty-four hours or more notice; 186
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(iii) Exclude from the platform any contractor who violates the contractual provision required by division (A)(1)(b)(ii) of this section. 189
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(2) Establish and provide to health care providers a schedule of fees and charges that shall not be modified except after providing written notice at least thirty days in advance of any change, or a shorter notice if the health care provider agrees in writing; 192
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(3) Except in the case of a health care worker platform, employ, as an employee of the health care staffing support service, each individual that the service provides to a health care provider to serve as temporary health care personnel; 197
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(4) Verify, maintain, and, upon request of a health care provider to which the health care staffing support service provides health care personnel, furnish supporting documentation that each individual provided to the provider to serve as temporary health care personnel, at the time of placement, meets all of the following: 201
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(a) Minimum licensing, training, and continuing education standards for the position in which the individual will be working; 207
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(b) Criminal records check requirements for employees and temporary workers of the health care provider; 210
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(c) Requirements for reviewing registries of persons with findings of abuse or neglect; 212
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(d) Requirements for determining whether exclusions from 214

medicare or medicaid exist; 215

(e) All of the health care provider's health requirements for employees or temporary workers, including requirements relating to testing for and vaccination against infectious disease and requirements relating to drug testing; 216
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(f) Any other qualification or requirement mandated by law for a health care provider's employees or temporary workers. 220
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(5) Prohibit all health care staffing support service employees or contractors from recruiting employees of the health care provider with which health care personnel are placed, and instruct all health care staffing support service employees or contractors regarding this prohibition; 222
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(6) Make health care staffing support service records immediately available to the director of health during normal business hours; 227
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(7) Retain health care staffing support service records for a minimum of five years or a longer period if required by state or federal law; 230
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(8) Except in the case of a health care worker platform that requires its contractors to carry professional liability insurance that meets the requirements of this division, carry professional liability insurance that covers at least one million dollars per occurrence and three million dollars aggregate to protect against loss, damage, or expense incident to a claim arising out of the death or injury of any person as the result of negligence or malpractice in the provision of health care services by the health care staffing support service or any of the service's employees; 233
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(9) Except in the case of a health care worker platform that requires its contractors to carry occupational accident insurance, 242
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secure and maintain workers' compensation coverage in accordance 244
with Chapters 4121., 4123., 4127., and 4131. of the Revised Code; 245

(10) Except in the case of a health care worker platform that 246
requires its contractors to have surety bonds meeting the 247
requirements of this division, carry a surety bond for employee 248
dishonesty that provides coverage in an amount that is not less 249
than one hundred thousand dollars. 250

(B) A health care staffing support service shall not attempt 251
to require a health care provider, by contract or otherwise, to 252
waive any of the requirements of this chapter or the rules adopted 253
under it as a condition of supplying personnel to the provider. 254
Any waiver of the requirements that may result from such an 255
attempt is void and unenforceable. 256

Sec. 3724.08. In addition to other activities prohibited by 257
this chapter, a health care staffing support service is subject to 258
all of the following: 259

(A) The staffing support service shall not restrict the 260
employment opportunities of its employees or contractors, 261
including by requiring either of the following: 262

(1) That an employee or contractor enter into a 263
post-termination of services noncompete agreement; 264

(2) That an employee or contractor accept an employment or 265
contractual buyout. 266

(B) The staffing support service shall not require, in any 267
contract with an employee, independent contractor, or health care 268
provider, the payment of liquidated damages, employment fees, or 269
other compensation related to an employee or contractor being 270
hired as a permanent employee of the health care provider. 271

(C)(1) Except as provided in division (C)(2) of this section, 272
the staffing support service shall not recruit, solicit, or entice 273
an employee of a health care provider to leave employment with the 274
provider. 275

(2) Nothing in division (C)(1) of this section or in any 276
other provision of this chapter shall be construed to prohibit a 277
health care staffing support service from doing either of the 278
following: 279

(a) Generally advertising to the public that the staffing 280
support service is seeking workers or that it may pay a signing 281
bonus; 282

(b) Offering or paying a signing bonus to an individual who 283
was or is an employee of a health care provider so long as the 284
staffing support service did not initiate contact related to 285
employment while the individual was actively employed by a health 286
care provider. 287

(D) The staffing support service shall not pay or make a gift 288
to any employee of a health care provider. 289

(E) Except in the case of a health care worker platform, the 290
staffing support service shall not contract with individuals as 291
independent contractors for use by the service in providing 292
temporary health care personnel to health care providers. 293

Sec. 3724.09. (A)(1) A health care staffing support service 294
shall not bill or receive payments from an applicable health care 295
provider for any category of health care personnel listed in the 296
medicaid cost reports submitted under section 5124.10 or 5165.10 297
of the Revised Code at a rate that is higher than one hundred 298
fifty per cent of the statewide direct care median hourly wage for 299
that category of personnel, as that wage is determined by the 300

department of medicaid from the cost reports for the most recent calendar year for which the department of medicaid has determined such a median wage, multiplied by the rate of inflation estimated under division (A)(3) of this section. The department of medicaid shall calculate and publish statewide direct care median hourly wages for all personnel categories reported on the cost reports as soon as practicable after receiving the reports.

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(2) A maximum rate established under division (A)(1) of this section includes all charges for administrative fees, contract fees, shift bonuses, or any other charges in addition to the hourly rates for the health care personnel supplied to a health care provider, except that the health care staffing support service may charge the provider an additional hourly amount of not more than ten per cent of the maximum rate for an individual who directly provides care to patients with an infectious disease for which a declared public health emergency is in effect.

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(3) The department of medicaid shall estimate the rate of inflation for the twelve-month period beginning on the first day of July of the cost report year and ending on the last day of June of the calendar year for which the rate is determined, using the following:

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(a) Subject to division (A)(3)(b) of this section, the employment cost index for total compensation, health care and social assistance component, published by the United States bureau of labor statistics;

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(b) If the United States bureau of labor statistics ceases to publish the index specified in division (A)(3)(a) of this section, the index that is subsequently published by the bureau and covers the staff costs of health care providers.

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(B) The medicaid director may establish median hourly wages 330
for any category of personnel not reported on cost reports 331
submitted under section 5124.10 or 5165.10 of the Revised Code 332
based on data submitted by health care providers that utilize that 333
category of personnel or based on any other data that the director 334
considers appropriate. If the medicaid director establishes a 335
median hourly wage for a category of personnel under this 336
division, the wage that is established shall be used to set a 337
maximum rate for the category of personnel in the same manner that 338
a maximum rate applies under division (A) of this section. 339

Sec. 3724.10. (A) An applicant for or holder of a 340
registration issued under this chapter is subject to disciplinary 341
actions by the director of health as specified in divisions (B) 342
and (C) of this section. 343

(B) The director may deny, refuse to renew, revoke, or 344
suspend a health care staffing support service registration for 345
any of the following reasons: 346

(1) Lack of financial solvency or suitability; 347

(2) Inadequate treatment and care or criminal activity by 348
personnel supplied by the staffing support service or by any 349
person managing the service, except that the director may not 350
revoke the registration of a health care worker platform solely 351
for the conduct of independent contractors that are on the 352
platform; 353

(3) Interference with a survey or other inspection conducted 354
under section 3724.12 of the Revised Code; 355

(4) Failure to comply with the conditions or requirements 356
that must be met to obtain and retain a registration; 357

(5) Failure to comply with any other requirement of this chapter or the rules adopted under it. 358
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(C) The director shall revoke the registration of a health care staffing support service that knowingly provides to a health care provider a person with an illegally or fraudulently obtained or issued diploma, registration, license, certificate, criminal records check, or other item required for employment by a health care provider. 360
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(D) In addition to the disciplinary actions described in divisions (B) and (C) of this section, the director shall fine a health care staffing support service found to be in violation of section 3724.09 of the Revised Code in an amount that is equal to two hundred per cent of the amount billed or received in excess of the maximum permitted under that section. 366
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A health care staffing support service may request a reconsideration by the director of a fine imposed under this division. The reconsideration process is not subject to Chapter 119. of the Revised Code. 372
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(E) Except as provided in division (D) of this section, all actions for imposing disciplinary actions and fines under this section shall be taken in accordance with Chapter 119. of the Revised Code. 376
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(F)(1) The controlling person of a health care staffing support service whose registration has not been renewed or has been revoked is not eligible to apply for or to be granted a registration for five years following the date that the registration is terminated for failure to renew or the date of the final order of revocation. 380
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(2) The director shall not issue or renew a registration to 386

operate a health care staffing support service if a controlling person of the staffing support service includes any individual or entity that was a controlling person of a staffing support service whose registration was not renewed or was revoked during the five-year period immediately preceding the date the application for registration or renewal under consideration was submitted. 387
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Sec. 3724.11. The director of health shall establish a system for the reporting of complaints against a health care staffing support service or its employees or contractors. Reports may be made by any individual. The director shall investigate all complaints made against a health care staffing support service. 393
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Sec. 3724.12. In addition to administering the registration requirements of this chapter and investigating complaints under section 3724.11 of the Revised Code, the director of health shall oversee the operation of health care staffing support services by doing both of the following: 398
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(A) Conducting surveys or other inspections; 403

(B) Taking any other actions the director considers necessary to ensure compliance with this chapter and the rules adopted under it. 404
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Sec. 3724.13. The director of health shall adopt rules as the director considers necessary to implement this chapter. All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code. 407
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Sec. 3724.14. All registration application fees, registration renewal fees, and fines collected under this chapter, other than financial penalties imposed under section 3724.99 of the Revised 411
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Code, shall be deposited in the state treasury to the credit of 414
the general operations fund created under section 3701.83 of the 415
Revised Code. The amounts shall be used solely for purposes of 416
administering and enforcing this chapter and the rules adopted 417
under it. 418

Sec. 3724.99. Whoever violates section 3724.06 of the Revised 419
Code is guilty of a misdemeanor of the second degree on a first 420
offense; for each subsequent offense, the person is guilty of a 421
misdemeanor of the first degree." 422

In line 101290, after "3701.78," insert "3701.83," 423

In line 101546, after "111.15" insert ", 3701.83," 424

After line 101743, insert: 425

"**Sec. 3701.83.** There is hereby created in the state treasury 426
the general operations fund. Moneys in the fund shall be used for 427
the purposes specified in sections 3701.04, 3701.344, 3702.20, 428
3711.16, 3717.45, 3718.06, 3721.02, 3721.022, ~~3724.14,~~ 3729.07, 429
3733.43, 3748.04, 3748.05, 3748.07, 3748.12, 3748.13, 3749.04, 430
3749.07, 4736.06, and 4769.09 of the Revised Code." 431

In line 101993, after "111.15" insert ", 3701.83," 432

After line 163223, insert: 433

"**Section 737.____.** The Director of Health may begin 434
implementing Chapter 3724. of the Revised Code, including issuing 435
registrations, prior to adopting rules under section 3724.13 of 436
the Revised Code." 437

The motion was _____ agreed to.

SYNOPSIS

Registration of health care staffing support services	438
R.C. Chapter 3724.; R.C. 3701.83; Section 737.____	439
Requires annual registration with the Director of Health for	440
health care staffing support services that provide certain health	441
care personnel to health care providers on a temporary basis.	442
Specifies various requirements and prohibitions applicable to	443
registered staffing support services, including a limitation on	444
the maximum fees and charges a staffing support service may charge	445
to a health care provider.	446
Authorizes the Director to take disciplinary action against	447
the registration holder.	448

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_____ moved to amend as follows:

In line 21840, after "**1545.21.**" insert "(A)" 1

In line 21853, strike through "(A)" and insert "(1)" 2

In line 21854, strike through "(B)" and insert "(2)" 3

In line 21857, strike through "The" and insert "A resolution" 4
to renew, renew and increase, or renew and decrease an existing 5
levy shall not be placed on the ballot unless the question is 6
submitted at the general election held during the last year the 7
tax to be renewed may be extended on the tax list, or at any 8
election described in division (A)(1) or (2) of this section in 9
the ensuing year. Such a resolution may specify that the renewal, 10
increase, or decrease of the existing levy shall be extended on 11
the tax list for the tax year specified in the resolution, which 12
may be the last year the existing levy may be extended on the list 13
for the ensuing year. If the renewal, increase, or decrease is to 14
be extended on the tax list for the last tax year the existing 15
levy would otherwise be extended, the existing levy shall not be 16
extended on the tax list for that last year unless the question of 17
the renewal, increase, or decrease is not approved by a majority 18
of electors voting on the question, in which case the existing 19
levy shall be extended on the tax list for that last year. 20

Except as otherwise prescribed in division (B) of this 21

section, the" 22

After line 21865, insert: 23

"(B)(1) If the resolution of the board of park commissioners provides that an existing levy will be renewed, increased, or decreased upon the passage of the ballot question, the form of the ballot shall be the same as prescribed for such levies in divisions (B) and (C) of section 5705.25 of the Revised Code. 24
25
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(2)" 29

In line 21883, strike through "If" and insert: 30

"(C) If" 31

In line 21904, before "As" insert "(D)" 32

The motion was _____ agreed to.

SYNOPSIS

Park district renewal levy 33

R.C. 1545.21 34

Authorizes a park district to renew, increase, or decrease 35
its existing voted property tax levy, as is authorized for most 36
other types of property taxes. Under current law, such levies may 37
be only renewed through a replacement procedure unique to park 38
districts a procedure that which the substitute bill discontinues 39
starting in 2025. 40

_____ moved to amend as follows:

- 1 In line 29 of the title, delete "917.01, 917.04, 917.09,"
- 2 In line 239 of the title, delete "917.09,"
- 3 In line 471, delete "917.01, 917.04,"
- 4 In line 472, delete "917.09,"
- 5 Delete lines 19377 through 19602
- 6 In line 101251, delete "917.01, 917.04,"
- 7 In line 101252, delete "917.09,"
- 8 In line 101997, delete "917.09,"
- 9 Delete lines 102108 through 102200
- 10 In line 104782, delete "917.09,"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Sale of raw milk**

14 **R.C. 917.01, 917.04, and 917.09**

15 Removes a provision in the bill that requires, rather than
16 authorizes, the Director of Agriculture to issue a raw milk
17 retailer license if both of the following apply:

- 18 1. The person submits an application in accordance with
19 current law requirements and procedures; and

HC3299

20 2. The person intends to sell, offer for sale, or expose
21 for sale raw milk to the ultimate consumer only at the raw milk
22 retailer's farm or at a farmer's market.

_____ moved to amend as follows:

1 In line 154527, delete "\$100,000,000" and insert
2 "\$200,000,000"

3 In line 154528, add \$100,000,000 to fiscal year 2024

4 In line 154532, add \$100,000,000 to fiscal year 2024

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Facilities Construction Commission**

8 **Section 287.10**

9 Increases Fund 5CV3 ALI 230652, Career-Technical
10 Construction Program, by \$100,000,000 in FY 2024, effectively
11 restoring the appropriation of \$200,000,000 in FY 2024 in the As
12 Introduced bill under Fund 5ZJ0 ALI 230651, Career-Technical
13 Construction Program.

_____ moved to amend as follows:

1 Delete line 158886

2 After line 158890a, insert:

3 "5xxx 235xxx Super RAPIDS \$100,000,000 \$0"

4 Delete lines 160403 through 160468

5 After line 160553, insert:

6 **"Section 381.____.** SUPER RAPIDS

7 (A) Of the foregoing appropriation item 235xxx, Super
8 RAPIDS, \$4,280,000 in fiscal year 2024 shall be distributed to
9 Fairfield County to support building improvements, equipment
10 purchases, and operating expenses for programs of the Fairfield
11 County Workforce Center.

12 (B) (1) The remainder of the foregoing appropriation item
13 235xxx, Super RAPIDS, shall be used by the Governor's Office of
14 Workforce Transformation and the Chancellor of Higher Education
15 to support collaborative projects among qualifying institutions
16 to strengthen education and training opportunities that maximize
17 workforce development efforts in defined areas of the state.
18 These funds shall be used to support efforts that build
19 capacity, remove employment and training barriers for

HC3301

20 prospective and unemployed workers, develop and strengthen
21 business-led strategies in the impacted industries, and provide
22 local guided solutions to employment for communities in economic
23 transition. Under the program, the Chancellor shall distribute
24 funds to Ohio regions or subsets of regions, as defined by the
25 Governor's Office of Workforce Transformation.

26 (2) Of the foregoing appropriation item 235xxx, Super
27 RAPIDS, a portion in each fiscal year may be used by the
28 Governor's Office of Workforce Transformation to meet urgent
29 workforce development and job creation needs throughout the
30 state.

31 (3) The Governor's Office of Workforce Transformation shall
32 consult with the Department of Development, the Chancellor, and
33 other stakeholders as determined to be appropriate, when
34 defining regions and awarding funds under this section.

35 (4) The Chancellor and the Governor's Office of Workforce
36 Transformation shall develop and use a proposal and review
37 process to award funds under the program. In reviewing proposals
38 and making awards, priority shall be given to proposals that
39 demonstrate all of the following:

40 (a) Clear compliance with all applicable state and federal
41 rules and regulations;

42 (b) Collaboration between and among state institutions of
43 higher education, as defined in section 3345.011 of the Revised

HC3301

44 Code, Ohio Technical Centers, and other education and workforce-
45 related entities as determined to be appropriate by the
46 Governor's Office of Workforce Transformation and the Department
47 of Higher Education;

48 (c) Evidence of meaningful business support and engagement;

49 (d) Identification of targeted occupations and industries
50 supported by data, which sources shall include the Governor's
51 Office of Workforce Transformation, OhioMeansJobs, labor market
52 information from the Department of Job and Family Services, and
53 lists of in-demand occupations;

54 (e) Sustainability beyond the grant period with the
55 opportunity to provide continued value and impact to the region;
56 and

57 (f) Evidence of a strong commitment to invest in one or
58 more of the following areas:

59 (i) Broadband/5G;

60 (ii) Cybersecurity;

61 (iii) Healthcare;

62 (iv) Transportation;

63 (v) Advanced manufacturing;

64 (vi) Trades.

65 (5) As used in this section:

66 (a) "Qualifying institution" means any of the following:

HC3301

67 (i) A state institution of higher education, as defined in
68 section 3345.011 of the Revised Code;

69 (ii) An Ohio Technical Center, as defined in section
70 3333.94 of the Revised Code;

71 (iii) Other secondary and postsecondary education and
72 workforce-related entities, as determined by the Chancellor."

73 In line 162588, after "(E)" insert "Up to \$100,000,000 cash
74 to the Super RAPIDS Fund (Fund 5xxx), which is hereby created in
75 the state treasury;

76 (F) "

77 In line 162590, delete "(F)" and insert "(G) "

78 In line 162592, delete "(G)" and insert "(H) "

79 In line 162594, delete "(H)" and insert "(I) "

80 In line 162596, delete "(I)" and insert "(J) "

81 In line 162598, delete "(J)" and insert "(K) "

82 In line 162600, delete "(K)" and insert "(L) "

83 In line 162602, delete "(L)" and insert "(M) "

84 In line 162604, delete "(M)" and insert "(N) "

85 In line 162606, delete "(N)" and insert "(O) "

86 In line 162608, delete "(O)" and insert "(P) "

87 In line 162610, delete "(P)" and insert "(Q) "

88 In line 162612, delete "(Q)" and insert "(R) "

89 The motion was _____ agreed to.

90

SYNOPSIS

91

Department of Higher Education

92

Sections 381.10, 381.610, 381.____, and 513.10

93

Establishes Fund 5xxx ALI 235xxx, Super RAPIDS, with an appropriation of \$100,000,000 in FY 2024, and eliminates Fund 5CV3 ALI 235687 Super RAPIDS, effectively moving the appropriation and purpose of ALI 235687 to ALI 235xxx. Requires that ALI 235xxx be used for the same purposes as ALI 235687 in the current version of the bill, including an earmark of \$4,280,000 in FY 2024 to be distributed to Fairfield County to support programs of the Fairfield County Workforce Center.

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Requires that \$100,000,000 of the FY 2023 surplus GRF balance be transferred to the newly created Super RAPIDS Fund (Fund 5xxx) to support ALI 235XXX.

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103

_____ moved to amend as follows:

1 After line 150336, insert:

2 "GRF 055446 Cyber Crime Division Expansion \$750,000 \$750,000

3 GRF 055447 Ohio Law Enforcement Gateway - (OHLEG) \$500,000

4 \$750,000

5 In line 150343, add \$1,250,000 to fiscal year 2024 and

6 \$1,500,000 to fiscal year 2025

7 In line 150382, add \$1,250,000 to fiscal year 2024 and

8 \$1,500,000 to fiscal year 2025

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Attorney General**

12 **Section 221.10**

13 Reestablishes the following ALIs and appropriates the same
14 amounts as provided by the As Introduced bill:

15 ▪ GRF ALI 055446, Cyber Crime Division Expansion, with an
16 appropriation of \$750,000 in each fiscal year;

17 ▪ GRF ALI 055447, Ohio Law Enforcement Gateway - (OHLEG),
18 with an appropriation of \$500,000 in FY 2024 and \$750,000
19 in FY 2025.

_____ moved to amend as follows:

1 In line 151176, delete "\$11,550,000 \$11,550,000" and
2 insert "\$16,550,000 \$16,550,000"

3 In line 151181, add \$5,000,000 to each fiscal year

4 In line 151261, add \$5,000,000 to each fiscal year

5 After line 151383, insert:

6 "Of the foregoing appropriation item 195503, Local
7 Development Projects, up to \$5,000,000 in each fiscal year shall
8 be allocated for the GRIT program to be administered by the
9 Governor's Office of Appalachia and the Department of
10 Development. The program shall create jobs in economically
11 distressed and at-risk areas within eleven counties in the
12 service territory of the Ohio Valley Regional Development
13 Commission. This portion of the foregoing appropriation item
14 shall be used to establish virtual workforce development centers
15 and place un- and under-employed adults into jobs, in
16 collaboration with private businesses and public sector
17 partners. Of this portion of the foregoing appropriation item,
18 up to \$1,250,000 in each fiscal year may be used for youth
19 assessment and career development activities, up to \$1,150,000

20 in each fiscal year may be used to support the development of
21 virtual workforce centers, up to \$800,000 in each fiscal year
22 may be used for assessments, and up to \$800,000 in each fiscal
23 year may be used for operating costs."

24 The motion was _____ agreed to.

25 SYNOPSIS

26 **Department of Development**

27 **Sections 259.10 and 259.20**

28 Increases appropriations under GRF ALI 195503, Local
29 Development Projects by \$5,000,000 in each fiscal year to a
30 total of \$16,550,000 in each fiscal year.

31 Earmarks \$5,000,000 in each fiscal year for the GRIT
32 Program to be used by the Governor's Office of Appalachia and
33 DEV to establish virtual workforce development centers and place
34 un- and under-employed adults into jobs within 11 counties of
35 the Ohio Valley Regional Development Commission's service
36 Territory.

37 Allows, of the \$5,000,000 in each fiscal year: (1) up to
38 \$1,250,000 in each fiscal year to be used for youth assessment
39 and career development activities, (2) up to \$1,150,000 in each
40 fiscal year to be used to support the development of virtual
41 workforce centers, (3) up to \$800,000 in each fiscal year to be
42 used for assessments, and (4) up to \$800,000 in each fiscal year
43 to be used for operating costs.

_____ moved to amend as follows:

1 In line 32 of the title, delete "1531.08,"

2 In line 474, delete "1531.08,"

3 Delete lines 21647 through 21702

4 In line 101254, delete "1531.08,"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Deer hunting season**

8 **R.C. 1531.08**

9 Eliminates a provision of the bill requiring the Chief of
10 the Division of Wildlife to open the first deer gun hunting
11 season three days earlier than the date currently prescribed in
12 rules by specifying that it begins the Friday after Thanksgiving
13 instead of the Monday after Thanksgiving.

_____ moved to amend as follows:

1 In line 193 of the title, after "3318.33," insert
2 "3318.63,"

3 In line 592, after "3318.33," insert "3318.63,"

4 After line 42984, insert:

5 "Sec. 3318.63. (A) For purposes of this section, "eligible
6 school district" is a city, local, or exempted village school
7 district that satisfies all of the following conditions:

8 (1) The school district has between two thousand and three
9 thousand enrolled students;

10 (2) The school district's annual percentile ranking has
11 remained the same for at least three of the four most recent
12 years;

13 (3) One of the district's school buildings is at least one
14 hundred years old;

15 (4) The school district's master facility plan proposes to
16 consolidate buildings.

17 (B) The accelerated school assistance program is created.
18 Under the program, the Ohio facilities commission may distribute
19 funds to eligible school districts from moneys specifically

20 appropriated by the general assembly for the purposes of this
21 section.

22 The commission shall establish procedures and deadlines for
23 eligible school districts to follow in applying for assistance
24 under this section. The commission shall consider such
25 applications on a case-by-case basis taking into account the
26 amount of moneys available under this section.

27 The facilities construction commission shall fund eighty
28 per cent of a project approved under the program from moneys
29 appropriated for that purpose."

30 After line 154527a, insert:

31 "5xxx 230XXX Accelerated School \$33,000,000 \$0"

32 Assistance Program

33 In line 154528, add \$33,000,000 to fiscal year 2024

34 In line 154532, add \$33,000,000 to fiscal year 2024

35 After line 154575, insert:

36 "ACCELERATED SCHOOL ASSISTANCE PROGRAM

37 The foregoing appropriation item 230XXX, Accelerated School
38 Assistance Program, shall be used by the Ohio Facilities
39 Construction Commission to provide the state's portion of total
40 funding for school facilities projects under the Accelerated
41 School Assistance Program pursuant to section 3318.63 of the
42 Revised Code."

HC3306X1

43 In line 162588, after "(E)" insert "Up to \$33,000,000 cash
44 to the Accelerated School Assistance Program Fund (Fund 5xxx),
45 which is hereby created in the state treasury;

46 (F) "

47 In line 162590, delete "(F)" and insert "(G) "

48 In line 162592, delete "(G)" and insert "(H) "

49 In line 162594, delete "(H)" and insert "(I) "

50 In line 162596, delete "(I)" and insert "(J) "

51 In line 162598, delete "(J)" and insert "(K) "

52 In line 162600, delete "(K)" and insert "(L) "

53 In line 162602, delete "(L)" and insert "(M) "

54 In line 162604, delete "(M)" and insert "(N) "

55 In line 162606, delete "(N)" and insert "(O) "

56 In line 162608, delete "(O)" and insert "(P) "

57 In line 162610, delete "(P)" and insert "(Q) "

58 In line 162612, delete "(Q)" and insert "(R) "

59 The motion was _____ agreed to.

60 SYNOPSIS

61 **Accelerated School Assistance Program**

62 **R.C. 3318.63**

63 Establishes the Accelerated School Assistance Program,
64 under which the Facilities Construction Commission funds 80% of
65 an eligible school district's classroom facilities project.

HC3306X1

66 Makes eligible for the program a city, local, or exempted
67 village school district that applies and meets the following
68 conditions:

69 (1) The school district has between 2,000 and 3,000
70 enrolled students;

71 (2) The school district's annual percentile ranking has
72 remained the same for at least three of the four most recent
73 years;

74 (3) One of the district's school buildings is at least one
75 hundred years old;

76 (4) The school district's master facility plan proposes to
77 consolidate buildings.

78 **Ohio Facilities Construction Commission**

79 **Sections 287.10, 287.20, and 513.10**

80 Establishes Fund 5xxx ALI 230XXX, Accelerated School
81 Assistance Program, with an appropriation of \$33,000,000 in
82 FY 2024, to be used by OFCC to provide the state's portion of
83 total project costs for school facilities projects under the
84 Accelerated School Assistance Program.

85 Requires that \$33,000,000 of the FY 2023 surplus GRF ending
86 balance be transferred to the newly created Accelerated School
87 Assistance Program Fund (Fund 5xxx) to support the program.

_____ moved to amend as follows:

1 After line 151630, insert:

2 "Of the foregoing appropriation item 1956G2, Downtown
3 Development Grant, \$250,000 in fiscal year 2024 shall be
4 provided to the City of Nelsonville for community development;
5 \$100,000 in fiscal year 2024 shall be provided to the City of
6 Belpre for community development; and \$850,000 in fiscal year
7 2024 shall be used to support the Chesapeake River Front
8 Development Project."

9 In line 151631, delete "foregoing" and insert "remainder
10 of"

11 In line 151634, delete "Of the" and insert "The"

12 In line 151635, delete "appropriated, \$50,000,000 in fiscal
13 year 2024"; delete "in" and insert "equally to"

14 After line 151639, insert:

15 "Of the foregoing appropriation item 1956G3, Township
16 Development Grant, \$250,000 in fiscal year 2024 shall be
17 provided to Scipio Township in Meigs County for community
18 development and \$55,000 in fiscal year 2024 shall be provided to

HC3307

19 the Village of Racine Fire Department for building improvements
20 for its firehouse."

21 In line 151640, delete "foregoing" and insert "remainder
22 of"

23 After line 151647, insert:

24 "Of the foregoing appropriation item 1956G4, Cultural
25 Center Grant, \$650,000 in fiscal year 2024 shall be used to
26 support the Chesapeake Community Center; \$250,000 in fiscal year
27 2024 shall be used to support the Dairy Barn in Athens for
28 elevator and roof repairs; \$250,000 in fiscal year 2024 shall be
29 used to support the Passion Works Studio in Athens; and \$110,000
30 in fiscal year 2024 shall be used to support Starmill Park."

31 In line 151648, delete "foregoing" and insert "remainder
32 of"

33 After line 151651, insert:

34 "Of the foregoing appropriation item 1956G5, County and
35 Independent Fairs Grant, \$1,500,000 in fiscal year 2024 shall be
36 used to support the Gallia County Fair."

37 In line 151652, delete "foregoing" and insert "remainder
38 of"

39 The motion was _____ agreed to.

40

SYNOPSIS

41

Department of Development

42

Section 259.30

43

Earmarks, in FY 2024, from Fund 5ZU0 ALI 1956G2, Downtown Development Grant, \$250,000 to the City of Nelsonville for community development; \$100,000 to the City of Belpre for community development; and \$850,000 to support the Chesapeake River Front Development Project.

48

Earmarks, in FY 2024, from Fund 5ZV0 ALI 1956G3, Township Development Grant, \$250,000 to Scipio Township in Meigs County for community development and \$55,000 to the Village of Racine Fire Department for building improvements for its firehouse.

52

Earmarks, in FY 2024, from Fund 5ZW0 ALI 1956G4, Cultural Center Grant, \$650,000 to support the Chesapeake Community Center; \$250,000 to support the Dairy Barn in Athens for elevator and roof repairs; \$250,000 to support the Passion Works Studio in Athens; and \$110,000 to support Starmill Park."

57

Earmarks, in FY 2024, from Fund 5ZX0 ALI 1956G5, County and Independent Fairs Grant, \$1,500,000 to support the Gallia County Fair.

_____ moved to amend as follows:

1 After line 155230a, insert:

2 "5CV3 600XXX Foodbank Assistance ARPA \$10,000,000 \$0"

3 In line 155236, add \$10,000,000 to fiscal year 2024

4 In line 155265, add \$10,000,000 to fiscal year 2024

5 After line 155327, insert:

6 **"Section 307.____. FOODBANK ASSISTANCE ARPA**

7 The foregoing appropriation item 600XXX, Foodbank
8 Assistance ARPA, shall be distributed to the Cleveland
9 Foodbank."

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Department of Job and Family Assistance**

13 **Sections 307.10 and 307.____**

14 Appropriates \$10,000,000 in FY 2024 in new Fund 5CV3 ALI
15 600XXX, Foodbank Assistance ARPA, and requires funds to be
16 allocated to the Cleveland Foodbank.

_____ moved to amend as follows:

1 After line 155235a, insert:

2 "XXXX 600XXX Foodbanks \$15,000,000 \$15,000,000"

3 In line 155236, add \$15,000,000 to each fiscal year

4 In line 155265, add \$15,000,000 to each fiscal year

5 In line 155304, after "year" insert ", and also the
6 foregoing appropriation item 600XXX, Foodbanks,"

7 In line 155312, delete "\$24,550,000" and insert
8 "\$39,550,000"

9 In line 162611, delete "and"

10 In line 162613 delete the period and insert "; and"

11 After line 162613, insert:

12 "(R) Up to \$30,000,000 cash to the Foodbanks Fund (Fund
13 XXXX), which is hereby created in the state treasury."

14 The motion was _____ agreed to.

15

SYNOPSIS

16

Department of Job and Family Services

17

Sections 307.10, 307.40, and 513.10

18

19 Appropriates \$15,000,000 in each fiscal year in new Fund
20 XXXX 600XXX, Foodbanks. Requires these funds be provided to the
21 Ohio Association of Foodbanks (there is an existing earmark in
22 the bill that requires a total of \$22,050,000 in each fiscal
23 year from three line items be provided to the Association. These
funds will be provided in addition to these existing funds.).

24

25 Increases, by \$15,000,000 in each fiscal year, the total
26 amount that ODJFS is to provide to the Association (from a total
27 of \$24,550,000 in each fiscal year to \$39,550,000 in each fiscal
year).

28

29 Transfers \$30,000,000 to the Foodbanks Fund (Fund XXXX)
from the FY 2023 GRF ending balance.

_____ moved to amend as follows:

1 After line 157967, insert:

2 "GRF 415XXX Independent Living Supplement \$1,000,000 \$0"

3 In line 157968, add \$1,000,000 to fiscal year 2024

4 In line 157989, add \$1,000,000 to fiscal year 2024

5 After line 158026, insert:

6 "INDEPENDENT LIVING SUPPLEMENT

7 The foregoing appropriation item 415XXX, Independent Living
8 Supplement, shall be distributed to the Ohio Statewide
9 Independent Living Council. The Council shall distribute these
10 funds to local centers for independent living to provide ramps,
11 minor home modifications, and assistive technology to
12 individuals with disabilities.

13 An amount equal to the unexpended, unencumbered portion of
14 the foregoing appropriation item 415XXX, Independent Living
15 Supplement, at the end of fiscal year 2024 is hereby
16 reappropriated to the same appropriation item for the same
17 purpose in fiscal year 2025."

18 The motion was _____ agreed to.

19

SYNOPSIS

20

Opportunities for Ohioans with Disabilities Agency

21

Sections 353.10 and 353.20

22

Appropriates \$1,000,000 in FY 2024 in new GRF ALI 415XXX,
23 Independent Living Supplement, and requires funds to be
24 distributed to the Ohio Statewide Independent Living Council.
25 Requires the Council to distribute these funds to local centers
26 for independent living to provide ramps, minor home
27 modifications, and assistive technology to individuals with
28 disabilities.

29

Reappropriates the available balance of GRF ALI 415XXX,
30 Independent Living Supplement, at the end of FY 2024 for the
31 same purpose in FY 2025.

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_____ moved to amend as follows:

In line 54 of the title, "3310.032," insert "3310.13," 1

In line 490, after "3310.032," insert "3310.13," 2

After line 35610, insert: 3

"**Sec. 3310.13.** (A) No chartered nonpublic school shall charge 4
any student whose family income is at or below two hundred per 5
cent of the federal poverty guidelines, as defined in section 6
5101.46 of the Revised Code, a tuition fee that is greater than 7
the total amount paid for that student under section 3317.022 of 8
the Revised Code. 9

(B) A chartered nonpublic school may charge any other student 10
who is paid a scholarship under that section up to the difference 11
between the amount of the scholarship and the regular tuition 12
charge of the school. Each chartered nonpublic school may permit 13
such an eligible student's family to provide volunteer services in 14
lieu of cash payment to pay all or part of the amount of the 15
school's tuition not covered by the scholarship paid under section 16
3317.022 of the Revised Code. 17

(C) Each chartered nonpublic school that charges a 18
scholarship student an additional amount as authorized under 19
division (B) of this section shall annually report to the 20

department of education in the manner prescribed by the department 21
the following: 22

(1) The number of students charged; 23

(2) The average of the amounts charged to such students. 24

(D) No chartered nonpublic school participating in the 25
educational choice scholarship pilot program shall require the 26
parent of a student to disclose, as part of the school's admission 27
procedure, whether the student's family income is at or below two 28
hundred per cent of the federal poverty guidelines." 29

In line 101270, after "3310.032," insert "3310.13," 30

The motion was _____ agreed to.

SYNOPSIS

Ed Choice scholarship changes 31

R.C 3310.13 32

Prohibits a chartered nonpublic school participating in the 33
Ed Choice Scholarship Program from requiring a student's parent to 34
disclose, as part of the school's admission procedure, whether the 35
student's family income is at or below 200% of the federal poverty 36
level. 37