

**OHIO**

**SENATE**

**JOURNAL**

CORRECTED VERSION  
WEDNESDAY, JUNE 10, 2020

ONE HUNDRED NINETY-FIRST DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, June 10, 2020, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Senator Kristina D. Roegner, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

**REPORTS OF REFERENCE AND BILLS FOR SECOND  
CONSIDERATION**

Senator Obhof reports for the standing committee on Rules and Reference, recommending that the following bills and resolutions, standing in order for second consideration, be referred to committee as recommended:

**Sub. H. B. No. 3** -Representatives Boyd, Carruthers, et al.

To amend sections 109.744, 109.803, 2903.01, 2919.25, 2919.27, 2929.12, 2929.13, 2929.14, 2929.22, 2935.032, 2937.23, and 3113.31; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 2935.033 (2935.034); and to enact new section 2935.033 and section 2919.261 of the Revised Code; and to amend Section 221.10 of H.B. 166 of the 133rd General Assembly to add domestic violence circumstances to the offense of aggravated murder, to expand the offense of domestic violence to also prohibit strangulation of a family or household member, to require law enforcement officers to utilize a qualified lethality assessment screening tool to refer high risk victims to domestic violence resources, to create the Domestic Violence Prosecution Study Committee, to name this act Aisha's Law, and to make an appropriation.

To the Committee on Judiciary.

**Am. H. B. No. 358** -Representatives Sobecki, Sheehy, et al.

To enact sections 5.2316, 5.2521, 5.2522, 5.2525, and 5.293 of the Revised Code to make multiple special designations.

To the Committee on Health, Human Services and Medicaid.

**Sub. H. B. No. 368** -Representative Baldrige, et al.

To amend sections 109.42, 109.572, 109.88, 901.511, 2137.14, 2909.07, 2913.01, 2913.04, 2913.05, 2913.49, 2919.25, 2919.251, 2919.26, 2921.22, 2923.129, 2927.12, 2933.51, 3712.09, 3721.121, 3750.09, 3751.04, and 5503.101 and to enact sections 2913.86, 2913.87, 2913.88, 2913.89, 2913.90,

2913.91, 2913.92, 2913.93, and 2913.94 of the Revised Code to enact the Ohio Computer Crimes Act.

To the Committee on Judiciary.

**Sub. H. B. No. 680** -Representative Abrams, et al.

To amend sections 3503.16, 3509.03, 3509.04, 3509.08, 3511.02, and 3511.04 and to enact section 3501.40 of the Revised Code to modify certain deadlines for absent voting and to direct the Secretary of State's use of federal CARES Act funds.

To the Committee on Government Oversight and Reform.

**S. B. No. 320** -Senator Huffman, M., et al.

To require public and private schools to decide whether to be open for instruction in the 2020-2021 school year, to permit parents providing home instruction to determine whether a building in which they provide instruction has adequate safety measures to address COVID-19, to prohibit other public officials from closing schools in that school year, and to declare an emergency.

To the Committee on Education.

**S. B. No. 321** -Senator Wilson, et al.

To enact sections 321.50, 507.14, and 733.82 of the Revised Code to make changes regarding the circumstances in which county treasurers, township fiscal officers and deputy fiscal officers, and municipal treasurers may be held liable for a loss of public funds.

To the Committee on Local Government, Public Safety and Veterans Affairs.

**S. B. No. 322** -Senator Wilson, et al.

To amend section 1349.55 and to enact sections 1349.551, 1349.552, 1349.553, 1349.554, and 1349.555 of the Revised Code to amend the law regarding the non-recourse civil litigation advance business.

To the Committee on Judiciary.

**S. B. No. 323** -Senators Antonio, Williams, et al.

To amend sections 111.31, 3501.01, 3501.05, 3501.29, 3503.09, 3503.10, 3503.14, 3503.15, 3503.16, 3503.19, 3503.20, 3503.23, 3503.28, 3505.181,

3509.02, 3509.03, 3509.04, 3509.05, 3509.051, 3509.08, 3509.09, 3511.02, 3511.04, 3511.09, 3511.11, 3513.05, 3513.18, 3513.19, 3513.191, 3517.012, 3517.013, 3599.11, and 3599.12; to enact sections 3319.077, 3503.231, 3509.031, 3509.032, 3509.041, 3509.042, and 3509.052; and to repeal sections 3503.29 and 3511.13 of the Revised Code to modify the law governing absent voting and online voter registration, to make other changes to the Election Law, and to declare an emergency.

To the Committee on Government Oversight and Reform.

**S. C. R. No. 15** -Senator Hackett

To urge the United States government to select Ohio to host the permanent headquarters of the United States Space Command.

To the Committee on Transportation, Commerce and Workforce.

**S. R. No. 528** -Senator Sykes, et al.

To urge the Congress of the United States to enact legislation to continue allowing Ohio to impose sales taxes on certain internet access services.

To the Committee on Ways and Means.

YES - 14: DAVE BURKE, WILLIAM P. COLEY, II, MATT DOLAN, JOHN EKLUND, JAY HOTTINGER, MATT HUFFMAN, STEPHANIE KUNZE, SEAN J. O'BRIEN, LARRY OBHOF, BOB PETERSON, CECIL THOMAS, SANDRA R. WILLIAMS, STEVE WILSON, KENNY YUKO

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Said bills and resolutions were considered a second time and referred to committee as recommended.

**REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Dolan submitted the following report:

The standing committee on Finance, to which was referred **S. J. R. No. 4**- Senator Peterson, et al., having had the same under consideration, reports it back with the following amendment and recommends its adoption when so amended.

In line 32, delete "the rate of interest charged by"; after the second "the" insert "total cost of repaying outstanding advances from the"; delete "for"

In line 33, delete "outstanding advances"; after "state" insert ", including the cost of paying interest on the advances,"; delete "expected rate of"

In line 34, delete "interest to be paid on" and insert "total cost of"

In line 35, after "section" insert ", including the cost of paying interest on the obligations"

Co-Sponsors: Eklund, Hottinger.

YES - 11: JOHN EKLUND, MATT DOLAN, VERNON SYKES, STEPHANIE KUNZE, KIRK SCHURING, NICKIE J. ANTONIO, BOB PETERSON, STEVE WILSON, ROB MCCOLLEY, JAY HOTTINGER, DAVE BURKE

NO - 0.

Senator Dolan submitted the following report:

The standing committee on Finance, to which was referred **S. B. No. 313-** Senator Johnson having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 11: JOHN EKLUND, MATT DOLAN, VERNON SYKES, STEPHANIE KUNZE, KIRK SCHURING, NICKIE J. ANTONIO, JAY HOTTINGER, BOB PETERSON, ROB MCCOLLEY, STEVE WILSON, DAVE BURKE

NO - 0.

Senator Hoagland submitted the following report:

The standing committee on Agriculture and Natural Resources, to which was referred **H. B. No. 160-** Representative Ingram, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Hoagland, O'Brien, Maharath, Huffman, S.

YES - 10: ROB MCCOLLEY, TERESA FEDOR, STEPHANIE KUNZE, TIM SCHAFFER, FRANK HOAGLAND, SEAN J. O'BRIEN, TINA MAHARATH, STEPHEN A. HUFFMAN, BOB D. HACKETT, BOB PETERSON

NO - 1: TERRY JOHNSON

Senator Lehner submitted the following report:

The standing committee on Education, to which was referred **H. B. No. 164**-Representative Ginter, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Brenner, Huffman, S.

YES - 11: PEGGY LEHNER, LOUIS W. BLESSING, III, WILLIAM P. COLEY, II, MATT HUFFMAN, ANDREW O. BRENNER, TERESA FEDOR, TINA MAHARATH, VERNON SYKES, THERESA GAVARONE, STEPHEN A. HUFFMAN, NATHAN H. MANNING

NO - 0.

Senator Lehner submitted the following report:

The standing committee on Education, to which was referred **S. B. No. 288**-Senator Gavarone having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Brenner, Maharath, Huffman, S., Manning, Blessing, Lehner, Coley.

YES - 11: PEGGY LEHNER, ANDREW O. BRENNER, TINA MAHARATH, VERNON SYKES, THERESA GAVARONE, STEPHEN A. HUFFMAN, NATHAN H. MANNING, LOUIS W. BLESSING, III, TERESA FEDOR, WILLIAM P. COLEY, II, MATT HUFFMAN

NO - 0.

Senator Schuring submitted the following report:

The standing committee on General Government and Agency Review, to which was referred **S. B. No. 293**-Senators Manning, Blessing having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 695, delete "or" and insert "and"

In line 699, delete "three" and insert "five"

In line 700, after "service" insert "on the public body and its authorized representative"

In line 679, after "interest" insert "or a unique or complex case that

manifestly requires discovery, hearings, or oral testimony"

In line 749, delete "seven" and insert "thirty"

In line 756, delete "seven-day" and insert "thirty-day"

In line 757, delete "by an"

In line 758, delete "additional seven business days"

In line 785, delete "both" and insert "all"

After line 795, insert:

"(c) The court of claims shall issue an injunction to compel the members of the public body to comply with section 121.22 of the Revised Code."

YES - 7: HEARCEL F. CRAIG, KIRK SCHURING, LOUIS W. BLESSING, III, TIM SCHAFFER, FRANK HOAGLAND, JOHN EKLUND, VERNON SYKES

NO - 0.

Senator Schuring submitted the following report:

The standing committee on General Government and Agency Review, to which was referred **S. B. No. 318**-Senators Kunze, Williams having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Eklund, Schuring, Schaffer, Blessing.

YES - 7: HEARCEL F. CRAIG, VERNON SYKES, JOHN EKLUND, FRANK HOAGLAND, KIRK SCHURING, TIM SCHAFFER, LOUIS W. BLESSING, III

NO - 0.

Senator Schuring submitted the following report:

The standing committee on General Government and Agency Review, to which was referred **Sub. H. B. No. 481**-Representative Fraizer, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 7: HEARCEL F. CRAIG, KIRK SCHURING, LOUIS W. BLESSING, III, TIM SCHAFFER, FRANK HOAGLAND, JOHN EKLUND, VERNON SYKES

NO - 0.

Senator Wilson submitted the following report:

The standing committee on Energy and Public Utilities, to which was referred **S. C. R. No. 6**-Senator Burke, et al., having had the same under consideration, reports it back and recommends its adoption.

YES - 11: STEVE WILSON, BOB PETERSON, JOHN EKLUND, FRANK HOAGLAND, ANDREW O. BRENNER, DAVE BURKE, SEAN J. O'BRIEN, MATT DOLAN, MATT HUFFMAN, ROB MCCOLLEY, HEARCEL F. CRAIG

NO - 0.

The question being, "Shall the reports of the committee be accepted?"  
The reports of the committee were accepted.

Senator Obhof submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

**DeVore, David**, from Springfield, Clark County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning January 29, 2020, ending at the close of business November 12, 2022, replacing David S. DeVore, whose term expired.

**Marchetta, Mark**, from Hopedale, Harrison County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning January 29, 2020, ending at the close of business November 12, 2022, replacing Deanna L. Harris, whose term expired.

**Martin, Stacey**, from Dublin, Franklin County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning January 29, 2020, ending at the close of business November 12, 2022, replacing Jason K. Walsh, whose term expired.

**Raubenolt, Amy**, from Akron, Summit County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning January 29, 2020, ending at the close of business November 12, 2022, replacing Thomas A. Tallman, whose term expired.

**Uhl, Kevin**, from Sycamore Township, Hamilton County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning January 29, 2020, ending at the close of business November 12, 2022, replacing Kevin T. Uhl, whose term expired.



**Wright, Dudley**, from Johnstown, Licking County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning January 29, 2020, ending at the close of business November 12, 2022, replacing Dudley H.A. Wright II, whose term expired.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES – 14: DAVE BURKE, WILLIAM P. COLEY, II, MATT DOLAN, JOHN EKLUND, JAY HOTTINGER, MATT HUFFMAN, STEPHANIE KUNZE, SEAN J. O'BRIEN, LARRY OBHOF, BOB PETERSON, CECIL THOMAS, SANDRA R. WILLIAMS, STEVE WILSON, KENNY YUKO

NO – 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	Peterson	Roegner	Schaffer
Schuring	Sykes	Thomas	Williams
Wilson	Yuko		Obhof-31

So the Senate advised and consented to said appointments.

## HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

**Am. Sub. S. B. No. 55**-Senator Gavarone.

Cosponsors: Senators Fedor, O'Brien, Coley, Brenner, Hackett, Hoagland, Huffman, S., McColley, Roegner, Rulli, Schaffer, Schuring, Terhar, Uecker, Wilson. Representatives Butler, Cupp, Manning, D., Smith, T., Abrams, Baldrige, Carruthers, Cross, Ghanbari, Holmes, A., Jones, LaRe, Lipps, McClain, Merrin, Plummer, Roemer, Rogers, Seitz, Stein, Wiggam, Wilkin.

To amend sections 2925.01, 2925.03, 3701.99, 3707.99, and 3709.99 of the Revised Code to enhance penalties for certain drug trafficking offenses committed in the vicinity of a substance addiction services provider, to modify penalties for violations of public health orders related to a pandemic, and to designate certain provisions as the "Relapse Reduction Act.", having

been informally passed, were taken up.

Senator Peterson moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 55**, be informally passed and retain their place on the calendar.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

### **RESOLUTIONS REPORTED BY COMMITTEE**

**S. C. R. No. 6**-Senator Burke.

Cosponsors: Senators Brenner, Schaffer, Eklund, Thomas.

To urge the Congress of the United States to grant additional authority to the Federal Communications Commission to stop unwanted robocalls and "call spoofing" and to urge the Commission to educate the public on how to report illegal telephone calls.

WHEREAS, Receipt of unwanted telephone calls is the most frequent complaint received by the Federal Communications Commission (FCC) from consumers nationwide. Unwanted calls include automated telemarketing or solicitation calls that deliver a recorded message, also known as robocalls; and

WHEREAS, Recently, these robocalls have been combined with a process known as "spoofing" in which the call appears to originate from a local, often legitimate, number to trick consumers into answering the call. As technology continues to evolve, the number of robocalls and spoofing continue to grow; and

WHEREAS, Under the federal Truth in Caller ID Act of 2009, individuals are prohibited from transmitting misleading or inaccurate caller ID information with the intent to defraud, cause harm, or wrongly obtain anything of value. Although the FCC has initiated new policy initiatives to combat illegal robocalls and ID spoofing, more needs to be done; and

WHEREAS, Congress should pass legislation to provide the FCC with the tools and resources it needs to combat illegal and disruptive robocalls; and

WHEREAS, The FCC encourages consumers to file a complaint when an illegal call is received. Although the FCC uses social media and the internet to reach consumers, the FCC should use all means available to provide consumers with information needed to file a complaint; now therefore be it

RESOLVED, That we, the members of the 133rd General Assembly of the State of Ohio, urge the Congress of the United States to grant additional

authority to the Federal Communications Commission allowing it to stop unwanted robocalls and "call spoofing"; and be it further

RESOLVED, That we, the members of the 133rd General Assembly of the State of Ohio, urge the Federal Communications Commission to educate the public on how to report illegal telephone calls; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, each member of the Ohio Congressional delegation, the chairman and commissioners of the Federal Communications Commission, and the news media of Ohio.

The question being, "Shall the concurrent resolution, **S. C. R. No. 6**, be adopted?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the concurrent resolution was adopted.

The question being, "Shall the title be agreed to?"

Senator Burke moved to amend the title as follows:

Add the names: "Senators Antonio, Blessing, Craig, Dolan, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Huffman, S., Johnson, Kunze, Lehner, Maharath, Manning, O'Brien, Roegner, Schuring, Sykes, Wilson, Yuko."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

**Am. S. J. R. No. 4**-Senator Peterson.

Cosponsors: Senators Schuring, Eklund, Hottinger.

Proposing to enact Section 18 of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide for the issuance of obligations to repay outstanding advances made by the federal government to the unemployment compensation program of the state.

Be it resolved by the General Assembly of the State of Ohio, three-fifths of the members elected to each house concurring herein, that there shall be submitted to the electors of the state, in the manner prescribed by law at the general election to be held on November 3, 2020, a proposal to enact Section 18 of Article VIII of the Constitution of the State of Ohio to read as follows:

### ARTICLE VIII

#### Section 18. (A) As used in this section:

(1) "Debt service" means principal and interest and other accreted amounts payable on the obligations referred to in this section.

(2) "Obligations" means bonds, notes, or other evidences of obligation, including interest coupons pertaining to the obligation.

(B) In addition to the authorizations otherwise contained in Ohio Constitution, Article VIII, the general assembly may provide by law, in accordance with and subject to the limitations of this section, for the issuance of obligations for the purpose of financing or assisting in the financing of the cost to repay outstanding advances made by the federal government to the unemployment compensation program of this state.

(C) Obligations may be issued under this section only if the governor or the governor's designee determines and certifies that the total cost of repaying outstanding advances from the federal government to the state, including the cost of paying interest on the advances, exceeds the total cost of the obligations issued under this section, including the cost of paying interest on the obligations. Obligations issued under this section are not general obligations of the state. Except as otherwise provided in this section, the full faith and credit, revenue, and general taxing power of the state shall not be pledged to the payment of debt service on obligations issued under this section.

(D) Obligations issued under this section shall be secured by a pledge of all or a portion of taxes, excises, assessments, or surcharges imposed by the general assembly on employers who are subject to the unemployment laws of this state, along with other moneys generated as part of the sale of the obligations and pledged in the bond proceedings for the payment of debt service. For purposes of the full and timely payment of debt service on obligations issued under this section, the general assembly shall enact laws for all of the following:

(1) The creation of bond retirement funds;

(2) The sufficiency and appropriation of revenues and receipts pledged;

(3) Covenants to continue to impose, collect, and apply sufficient taxes, excises, assessments, and surcharges pledged pursuant to this section, including any revenue therefrom.

(E) Notwithstanding Ohio Constitution, Article II, Section 22, no further act of appropriation shall be necessary for the purpose of paying debt service on obligations issued under this section. The obligations and the provisions for the payment of debt service are not subject to either of the following:

(1) Ohio Constitution, Article VIII, Sections 4, 5, and 17;

(2) Ohio Constitution, Article XII, Sections 5, 6, and 11.

(F) Moneys referred to in Ohio Constitution, Article XII, Section 5a, may not be pledged to the payment of debt service under this section.

(G) Obligations issued under the authority of this section, their transfer, and the interest, interest equivalent, and other income or accreted amounts on them, including any profit made on their sale, exchange, or other disposition, shall at all times be free from taxation within the state.

(H) This section shall otherwise be implemented in the manner and to the extent provided by the general assembly by law, including provision for the procedure for incurring and issuing obligations, separately or in combination with other obligations, and refunding, retiring, and evidencing obligations. The maturity date or dates of the obligations issued under the authority of this section and the total principal amount of those obligations shall be as determined by the general assembly. Laws implementing this section shall be consistent with federal law. The authority provided by this section is in addition to, cumulative with, and not a limitation upon, the authority of the general assembly under other provisions of this Constitution. This section does not impair any law previously enacted by the general assembly.

#### EFFECTIVE DATE

If adopted by a majority of the electors voting on this proposal, Section 18 of Article VIII of the Constitution of the State of Ohio enacted by this proposal takes immediate effect.

The question being, "Shall the joint resolution, **Am. S. J. R. No. 4**, be adopted?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the joint resolution was adopted.

The question being, "Shall the title be agreed to?"

Senator Peterson moved to amend the title as follows:

Add the names: "Senators Antonio, Blessing, Brenner, Craig, Dolan, Fedor, Gavarone, Hackett, Hoagland, Huffman, S., Johnson, Kunze, Lehner, Maharath, Manning, Obhof, O'Brien, Schaffer, Sykes, Thomas, Wilson, Yuko."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

### **BILLS FOR THIRD CONSIDERATION**

**Sub. H. B. No. 11**-Representatives Manning, G., Howse.

Cosponsors: Representatives Boyd, Russo, West, Carfagna, Crawley, Edwards, Hambley, Patterson, Rogers, Skindell, Sweeney, Arndt, Baldrige, Blair, Blessing, Boggs, Brent, Brown, Carruthers, Cera, Clites, Crossman, Denson, Galonski, Greenspan, Grendell, Hicks-Hudson, Holmes, A., Ingram, Kick, Koehler, Lanese, Leland, Lepore-Hagan, Lightbody, Liston, Miller, J., Miranda, O'Brien, Oelslager, Patton, Perales, Plummer, Robinson, Roemer, Ryan, Scherer, Sheehy, Smith, K., Smith, T., Sobecki, Stein, Strahorn, Sykes, Upchurch, Weinstein. Senators Kunze, Maharath.

To amend sections 5162.20 and 5167.12; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5164.10 (5164.16); and to enact new section 5164.10 and sections 124.825, 3701.614, 3701.615, and 5164.17 of the Revised Code to address tobacco cessation and prenatal initiatives and to make an appropriation, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 11**, pass?"

Senator Burke moved to amend as follows:

In line 6 of the title, after "Code" insert "; and to amend Section 333.10 of H.B. 166 of the 133rd General Assembly"

After line 349, insert:

"Section 6. That Section 333.10 of H.B. 166 of the 133rd General Assembly be amended to read as follows:

**Sec. 333.10.**

	1	2	3	4	5
A					MCD DEPARTMENT OF MEDICAID
B					General Revenue Fund
C	GRF	651425	Medicaid Program Support - State	\$ 164,132,342	\$ 170,223,643
D	GRF	651426	Positive Education Program Connections	\$ 2,500,000	\$ 2,500,000
E	GRF	651525	Medicaid Health Care Services		
F			State	\$ 4,153,141,174	\$ 4,733,728,704
				<u>3,619,409,147</u>	
G			Federal	\$ 9,959,196,340	\$ 11,152,542,781
				<u>10,595,514,006</u>	
H			Medicaid Health Care Services Total	\$ 14,112,337,514	\$ 15,886,271,485
				<u>14,214,923,153</u>	
I	GRF	651526	Medicare Part D	\$ 490,402,102	\$ 533,290,526
J	GRF	651529	Brigid's Path Pilot	\$ 500,000	\$ 500,000
K	GRF	651533	Food Farmacy Pilot Project	\$ 250,000	\$ 250,000
L			TOTAL GRF General Revenue Fund		
M			State	\$ 4,810,925,618	\$ 5,440,492,873
				<u>4,277,193,591</u>	
N			Federal	\$ 9,959,196,340	\$ 11,152,542,781

			<u>10,595,514,006</u>	
O		GRF Total	\$ <u>14,770,121,958</u>	\$ 16,593,035,654
			<u>14,872,707,597</u>	
P	Dedicated Purpose Fund Group			
Q	4E30	651605Resident Protection Fund	\$ 3,910,338	\$ 4,013,000
R	5AN0	651686Care Innovation and Community Improvement Program	\$ 53,435,797	\$ 53,406,291
S	5DL0	651639Medicaid Services - Recoveries	\$ 741,454,299	\$ 781,970,233
T	5DL0	651685Medicaid Recoveries – Program Support	\$ 40,351,245	\$ 44,375,000
U	5DL0	651690Multi-system Youth Custody Relinquishment	\$ 6,000,000	\$ 12,000,000
V	5FX0	651638Medicaid Services - Payment Withholding	\$ 12,000,000	\$ 12,000,000
W	5GF0	651656Medicaid Services - Hospital Upper Payment Limit	\$ 822,016,219	\$ 887,150,856
X	5R20	651608Medicaid Services - Long Term	\$ 420,154,000	\$ 425,554,000
Y	5SC0	651683Medicaid Services – Physician UPL	\$ 7,520,000	\$ 7,645,000
Z	5TN0	651684Medicaid Services - HIC Fee	\$ 834,564,060	\$ 806,187,400
AA	6510	651649Medicaid Services - Hospital Care Assurance Program	\$ 249,167,065	\$ 168,310,123
AB	TOTAL DPF Dedicated Purpose Fund Group		\$ 3,205,573,023	\$ 3,232,611,903
			<u>3,190,573,023</u>	<u>3,202,611,903</u>



AC Holding Account Fund Group					
AD	R055	651644	Refunds and Reconciliation	\$ 1,000,000	\$ 1,000,000
AE TOTAL HLD Holding Account Fund Group				\$ 1,000,000	\$ 1,000,000
AF Federal Fund Group					
AG	3ER0	651603	Medicaid and Health Transformation Technology	\$ 48,031,056	\$ 48,340,000
AH	3F00	651623	Medicaid Services - Federal	\$ <del>6,563,381,020</del> <u>6,740,419,278</u>	\$ 6,596,507,934
AI	3F00	651624	Medicaid Program Support - Federal	\$ 516,667,497	\$ 527,369,363
AJ	3FA0	\$	Health Care Grants - Federal	\$ 11,988,670	\$ 12,000,000
AK	3G50	651655	Medicaid Interagency Pass Through	\$ 225,701,597	\$ 225,701,597
AL TOTAL FED Federal Fund Group				\$ <del>7,365,769,840</del> <u>7,542,808,098</u>	\$ 7,409,918,894
AM TOTAL ALL BUDGET FUND GROUPS				\$ <del>25,342,464,821</del> <u>25,607,088,718</u>	\$ <del>27,236,566,451</del> <u>27,206,566,451</u>

**Section 7.** That existing Section 333.10 of H.B. 166 of the 133rd General Assembly is hereby repealed."

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 11**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner

Schaffer  
Williams

Schuring  
Wilson

Sykes  
Yuko

Thomas  
Obhof-32

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Burke moved to amend the title as follows:

Add the names: "Senators Antonio, Blessing, Burke, Craig, Dolan, Eklund, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Manning, Obhof, O'Brien, Sykes, Thomas, Williams, Wilson, Yuko."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

**H. B. No. 61**-Representatives Lanese, Liston.

Cosponsors: Representatives Riedel, Patterson, Roemer, Scherer, Crawley, Ryan, Carfagna, Leland, Brown, West, Hambley, Galonski, Baldrige, Boggs, Boyd, Brent, Butler, Carruthers, Clites, Cross, Crossman, Cupp, Denson, DeVitis, Edwards, Ghanbari, Ginter, Green, Greenspan, Hicks-Hudson, Hillyer, Holmes, A., Holmes, G., Hoops, Howse, Ingram, Jones, Kent, Koehler, LaTourette, Lepore-Hagan, Lightbody, Manning, D., Manning, G., Miller, A., Miller, J., Miranda, O'Brien, Perales, Plummer, Reineke, Richardson, Rogers, Russo, Schaffer, Sheehy, Smith, K., Sobecki, Stein, Stoltzfus, Sykes, Upchurch, Vitale, Weinstein. Senators Coley, Gavarone, Fedor.

To amend section 149.43 of the Revised Code to include forensic mental health providers, mental health evaluation providers, and regional psychiatric hospital employees as individuals whose residential and familial information is exempt from disclosure under the Public Records Law, was considered the third time.

The question being, "Shall the bill, **H. B. No. 61**, pass?"

Senator Eklund moved to amend as follows:

In line 1 of the title, delete "section" and insert "sections"; after "149.43" insert "and 5913.01 and to enact sections 107.22 and 3701.25"

In line 3 of the title, delete "and"

In line 4 of the title, after "employees" insert ", emergency service telecommunicators, and certain Ohio National Guard members"

In line 7 of the title, after "Law" insert "and to address matters related to contact tracing"

In line 8, delete "section" and insert "sections"; after "149.43" insert "and 5913.01 be amended and sections 107.22 and 3701.25"

In line 9, delete "amended" and insert "enacted"

After line 9, insert:

"Sec. 107.22. If one or more infections of a contagious disease are observed in this state, the governor shall be subject to the following conditions when adopting or issuing an order regarding efforts to trace and monitor contacts of individuals infected with the contagious disease:

(A) The order shall not require an individual to comply with the tracing and monitoring efforts.

(B) The order shall require the acquisition of oral, written, electronic, or telephonic consent from each individual contacted for participation in the tracing and monitoring efforts before the next step in the process may proceed.

(C) The order shall not establish or authorize penalties for an individual's refusal to participate in the tracing and monitoring process, including withholding medical treatment from the individual based on the refusal.

(D) The order shall acknowledge all of the following:

(1) That participation in the tracing and monitoring efforts is voluntary;

(2) That any record created during the tracing and monitoring process is not a public record under section 149.43 of the Revised Code;

(3) That disclosure of protected health information by a covered entity, as defined in section 3798.01 of the Revised Code, during the tracing and monitoring process is subject to section 3798.04 of the Revised Code;

(4) That disclosure of protected health information by the director of health, the department of health, a board of health of a city or general health district, or a person or government entity under contract with any of the foregoing is subject to section 3701.17 of the Revised Code."

Delete lines 10 through 908

After line 908, insert:

**"Sec. 149.43. (A)** As used in this section:

(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:

(a) Medical records;

(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 Code regarding the release or maintained incarceration of an offender to whom that section applies;

(c) Records pertaining to actions under section 2151.85 and division (C) of section 2919.121 of the Revised Code and to appeals of actions arising under those sections;

(d) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under sections 3705.12 to 3705.124 of the Revised Code;

(e) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;

(f) Records specified in division (A) of section 3107.52 of the Revised Code;

(g) Trial preparation records;

(h) Confidential law enforcement investigatory records;

(i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;

(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;

(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;

(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the

department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;

(m) Intellectual property records;

(n) Donor profile records;

(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;

(p) Designated public service worker residential and familial information;

(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;

(r) Information pertaining to the recreational activities of a person under the age of eighteen;

(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of the board or director, and in the case of a child fatality review board, child fatality review data submitted by the board to the department of health or a national child death review database, other than the report prepared pursuant to division (A) of section 307.626 of the Revised Code;

(t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;

(u) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section 4751.15 of the Revised Code or contracts under that section with a private or government entity to administer;

(v) Records the release of which is prohibited by state or federal law;

(w) Proprietary information of or relating to any person that is submitted to

or compiled by the Ohio venture capital authority created under section 150.01 of the Revised Code;

(x) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency;

(y) Records listed in section 5101.29 of the Revised Code;

(z) Discharges recorded with a county recorder under section 317.24 of the Revised Code, as specified in division (B)(2) of that section;

(aa) Usage information including names and addresses of specific residential and commercial customers of a municipally owned or operated public utility;

(bb) Records described in division (C) of section 187.04 of the Revised Code that are not designated to be made available to the public as provided in that division;

(cc) Information and records that are made confidential, privileged, and not subject to disclosure under divisions (B) and (C) of section 2949.221 of the Revised Code;

(dd) Personal information, as defined in section 149.45 of the Revised Code;

(ee) The confidential name, address, and other personally identifiable information of a program participant in the address confidentiality program established under sections 111.41 to 111.47 of the Revised Code, including the contents of any application for absent voter's ballots, absent voter's ballot identification envelope statement of voter, or provisional ballot affirmation completed by a program participant who has a confidential voter registration record, and records or portions of records pertaining to that program that identify the number of program participants that reside within a precinct, ward, township, municipal corporation, county, or any other geographic area smaller than the state. As used in this division, "confidential address" and "program participant" have the meaning defined in section 111.41 of the Revised Code.

(ff) Orders for active military service of an individual serving or with previous service in the armed forces of the United States, including a reserve

component, or the Ohio organized militia, except that, such order becomes a public record on the day that is fifteen years after the published date or effective date of the call to order;

(gg) The name, address, contact information, or other personal information of an individual who is less than eighteen years of age that is included in any record related to a traffic accident involving a school vehicle in which the individual was an occupant at the time of the accident;

(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;

(ii) Any depiction by photograph, film, videotape, or printed or digital image under either of the following circumstances:

(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.

(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.

(jj) Restricted portions of a body-worn camera or dashboard camera recording;

(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.

(ll) Records, documents, reports, or other information presented to the pregnancy-associated mortality review board established under section 3738.01 of the Revised Code, statements made by board members during board meetings, all work products of the board, and data submitted by the board to the department of health, other than the biennial reports prepared

under section 3738.08 of the Revised Code;

(mm) Telephone numbers for a victim, as defined in section 2930.01 of the Revised Code, a witness to a crime, or a party to a motor vehicle accident subject to the requirements of section 5502.11 of the Revised Code that are listed on any law enforcement record or report.

A record that is not a public record under division (A)(1) of this section and that, under law, is permanently retained becomes a public record on the day that is seventy-five years after the day on which the record was created, except for any record protected by the attorney-client privilege, a trial preparation record as defined in this section, a statement prohibiting the release of identifying information signed under section 3107.083 of the Revised Code, a denial of release form filed pursuant to section 3107.46 of the Revised Code, or any record that is exempt from release or disclosure under section 149.433 of the Revised Code. If the record is a birth certificate and a biological parent's name redaction request form has been accepted under section 3107.391 of the Revised Code, the name of that parent shall be redacted from the birth certificate before it is released under this paragraph. If any other section of the Revised Code establishes a time period for disclosure of a record that conflicts with the time period specified in this section, the time period in the other section prevails.

(2) "Confidential law enforcement investigatory record" means any record that pertains to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature, but only to the extent that the release of the record would create a high probability of disclosure of any of the following:

(a) The identity of a suspect who has not been charged with the offense to which the record pertains, or of an information source or witness to whom confidentiality has been reasonably promised;

(b) Information provided by an information source or witness to whom confidentiality has been reasonably promised, which information would reasonably tend to disclose the source's or witness's identity;

(c) Specific confidential investigatory techniques or procedures or specific investigatory work product;

(d) Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential information source.

(3) "Medical record" means any document or combination of documents,



except births, deaths, and the fact of admission to or discharge from a hospital, that pertains to the medical history, diagnosis, prognosis, or medical condition of a patient and that is generated and maintained in the process of medical treatment.

(4) "Trial preparation record" means any record that contains information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding, including the independent thought processes and personal trial preparation of an attorney.

(5) "Intellectual property record" means a record, other than a financial or administrative record, that is produced or collected by or for faculty or staff of a state institution of higher learning in the conduct of or as a result of study or research on an educational, commercial, scientific, artistic, technical, or scholarly issue, regardless of whether the study or research was sponsored by the institution alone or in conjunction with a governmental body or private concern, and that has not been publicly released, published, or patented.

(6) "Donor profile record" means all records about donors or potential donors to a public institution of higher education except the names and reported addresses of the actual donors and the date, amount, and conditions of the actual donation.

(7) "Designated public service worker" means a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, county or multicounty corrections officer, community-based correctional facility employee, designated Ohio national guard member, youth services employee, firefighter, EMT, medical director or member of a cooperating physician advisory board of an emergency medical service organization, state board of pharmacy employee, investigator of the bureau of criminal identification and investigation, forensic mental health provider, mental health evaluation provider, regional psychiatric hospital employee, emergency service telecommunicator, judge, magistrate, or federal law enforcement officer.

(8) "Designated public service worker residential and familial information" means any information that discloses any of the following about a designated public service worker:

(a) The address of the actual personal residence of a designated public service worker, except for the following information:

(i) The address of the actual personal residence of a prosecuting attorney or judge; and

(ii) The state or political subdivision in which a designated public service worker resides.

(b) Information compiled from referral to or participation in an employee assistance program;

(c) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information pertaining to, a designated public service worker;

(d) The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to a designated public service worker by the designated public service worker's employer;

(e) The identity and amount of any charitable or employment benefit deduction made by the designated public service worker's employer from the designated public service worker's compensation, unless the amount of the deduction is required by state or federal law;

(f) The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of a designated public service worker;

(g) A photograph of a peace officer who holds a position or has an assignment that may include undercover or plain clothes positions or assignments as determined by the peace officer's appointing authority.

(9) As used in divisions (A)(7) and (15) to (17) of this section:

"Peace officer" has the meaning defined in section 109.71 of the Revised Code and also includes the superintendent and troopers of the state highway patrol; it does not include the sheriff of a county or a supervisory employee who, in the absence of the sheriff, is authorized to stand in for, exercise the authority of, and perform the duties of the sheriff.

"Correctional employee" means any employee of the department of rehabilitation and correction who in the course of performing the employee's job duties has or has had contact with inmates and persons under supervision.

"County or multicounty corrections officer" means any corrections officer employed by any county or multicounty correctional facility.

"Designated Ohio national guard member" means a member of the Ohio national guard who is participating in duties related to remotely piloted aircraft, including but not limited to, pilots, sensor operators, and mission intelligence personnel, duties related to special forces operations, or duties related to cybersecurity, and is designated by the adjutant general as a designated public service worker for those purposes.

"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.

"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.

"Emergency service telecommunicator" has the meaning defined in section 4742.01 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.

(11) "Community control sanction" has the meaning defined in section 2929.01 of the Revised Code.

(12) "Post-release control sanction" has the meaning defined in section 2967.01 of the Revised Code.

(13) "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in section 149.011 of the Revised Code.

(14) "Designee," "elected official," and "future official" have the meanings defined in section 109.43 of the Revised Code.

(15) "Body-worn camera" means a visual and audio recording device worn on the person of a peace officer while the peace officer is engaged in the performance of the peace officer's duties.

(16) "Dashboard camera" means a visual and audio recording device mounted on a peace officer's vehicle or vessel that is used while the peace officer is engaged in the performance of the peace officer's duties.

(17) "Restricted portions of a body-worn camera or dashboard camera recording" means any visual or audio portion of a body-worn camera or dashboard camera recording that shows, communicates, or discloses any of the following:

(a) The image or identity of a child or information that could lead to the identification of a child who is a primary subject of the recording when the law enforcement agency knows or has reason to know the person is a child based on the law enforcement agency's records or the content of the recording;

(b) The death of a person or a deceased person's body, unless the death was caused by a peace officer or, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;

(c) The death of a peace officer, firefighter, paramedic, or other first responder, occurring while the decedent was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;

(d) Grievous bodily harm, unless the injury was effected by a peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(e) An act of severe violence against a person that results in serious physical harm to the person, unless the act and injury was effected by a peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(f) Grievous bodily harm to a 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;

(g) An act of severe violence resulting in serious physical harm against a 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 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;

(o) A conversation between a peace officer and a member of the public that does not concern law enforcement activities;

(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;

(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.

As used in division (A)(17) of this section:

"Grievous bodily harm" has the same meaning as in section 5924.120 of the Revised Code.

"Health care facility" has the same meaning as in section 1337.11 of the Revised Code.

"Protected health information" has the same meaning as in 45 C.F.R.

160.103.

"Law enforcement agency" has the same meaning as in section 2925.61 of the Revised Code.

"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.

"Sex offense" has the same meaning as in section 2907.10 of the Revised Code.

"Firefighter," "paramedic," and "first responder" have the same meanings as in section 4765.01 of the Revised Code.

(B)(1) Upon request and subject to division (B)(8) of this section, all public records responsive to the request shall be promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. Subject to division (B)(8) of this section, upon request by any person, a public office or person responsible for public records shall make copies of the requested public record available to the requester at cost and within a reasonable period of time. If a public record contains information that is exempt from the duty to permit public inspection or to copy the public record, the public office or the person responsible for the public record shall make available all of the information within the public record that is not exempt. When making that public record available for public inspection or copying that public record, the public office or the person responsible for the public record shall notify the requester of any redaction or make the redaction plainly visible. A redaction shall be deemed a denial of a request to inspect or copy the redacted information, except if federal or state law authorizes or requires a public office to make the redaction.

(2) To facilitate broader access to public records, a public office or the person responsible for public records shall organize and maintain public records in a manner that they can be made available for inspection or copying in accordance with division (B) of this section. A public office also shall have available a copy of its current records retention schedule at a location readily available to the public. If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under this section such that the public office or the person responsible for the requested public record cannot reasonably identify what public records are being requested, the public office or the person responsible for the requested public record may deny the request but shall provide the requester

with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.

(3) If a request is ultimately denied, in part or in whole, the public office or the person responsible for the requested public record shall provide the requester with an explanation, including legal authority, setting forth why the request was denied. If the initial request was provided in writing, the explanation also shall be provided to the requester in writing. The explanation shall not preclude the public office or the person responsible for the requested public record from relying upon additional reasons or legal authority in defending an action commenced under division (C) of this section.

(4) Unless specifically required or authorized by state or federal law or in accordance with division (B) of this section, no public office or person responsible for public records may limit or condition the availability of public records by requiring disclosure of the requester's identity or the intended use of the requested public record. Any requirement that the requester disclose the requester's identity or the intended use of the requested public record constitutes a denial of the request.

(5) A public office or person responsible for public records may ask a requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested, but may do so only after disclosing to the requester that a written request is not mandatory, that the requester may decline to reveal the requester's identity or the 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 that person to pay in advance the cost involved in providing the copy of the public record in accordance with the choice made by the person requesting the copy under this division. The public office or the person responsible for the public record shall permit that person 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 person requesting the copy 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 that person. Nothing in this section requires a public office or person responsible for the public record to allow the person requesting 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 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.

(iii) For purposes of division (B)(7) of this section, "commercial" 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.

(8) A public office or person responsible for public records is not required to permit a person who is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation or prosecution if the subject of the investigation or prosecution were an adult, unless the request to inspect or to obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence or made the adjudication with respect to the person, or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justiciable claim of the person.

(9)(a) Upon written request made and signed by a journalist, a public office, or person responsible for public records, having custody of the records of the agency employing a specified designated public service worker shall disclose to the journalist the address of the actual personal residence of the designated public service worker and, if the designated public service worker's spouse, former spouse, or child is employed by a public 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)(gg) 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 requester shall be entitled to recover the amount of statutory damages set forth in this division if a court determines that the public office or the person responsible for public records failed to comply with an obligation in accordance with division (B) of this section.

The amount of statutory damages shall be fixed at one hundred dollars for each business day during which the public office or person responsible for the requested public records failed to comply with an obligation in accordance

with division (B) of this section, beginning with the day on which the requester files a mandamus action to recover statutory damages, up to a maximum of one thousand dollars. The award of statutory damages shall not be construed as a penalty, but as compensation for injury arising from lost use of the requested information. The existence of this injury shall be conclusively presumed. The award of statutory damages shall be in addition to all other remedies authorized by this section.

The court may reduce an award of statutory damages or not award statutory damages if the court determines both of the following:

(a) 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 for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(b) That 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 for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(3) In a mandamus action filed under division (C)(1) of this section, the following apply:

(a)(i) If the court orders the public office or the person responsible for the public record to comply with division (B) of this section, the court shall determine and award to the relator all court costs, which shall be construed as remedial and not punitive.

(ii) If the court makes a determination described in division (C)(3)(b)(iii) of this section, the court shall determine and award to the relator all court costs, which shall be construed as remedial and not punitive.

(b) If the court renders a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section or if the court determines any of the following, the court may award reasonable attorney's fees to the relator, subject to division (C)(4) of this

section:

(i) The public office or the person responsible for the public records failed to respond affirmatively or negatively to the public records request in accordance with the time allowed under division (B) of this section.

(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 for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(ii) That 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 for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(4) All of the following apply to any award of reasonable attorney's fees awarded under division (C)(3)(b) of this section:

(a) The fees shall be construed as remedial and not punitive.

(b) The fees awarded shall not exceed the total of the reasonable attorney's fees incurred before the public record was made available to the relator and the fees described in division (C)(4)(c) of this section.

(c) Reasonable attorney's fees shall include reasonable fees incurred to produce proof of the reasonableness and amount of the fees and to otherwise litigate entitlement to the fees.

(d) The court may reduce the amount of fees awarded if the court determines that, given the factual circumstances involved with the specific public records request, an alternative means should have been pursued to more effectively and efficiently resolve the dispute that was subject to the mandamus action filed under division (C)(1) of this section.

(5) If the court does not issue a writ of mandamus under division (C) of this section and the court determines at that time that the bringing of the mandamus action was frivolous conduct as defined in division (A) of section 2323.51 of the Revised Code, the court may award to the public office all court costs, expenses, and reasonable attorney's fees, as determined by the court.

(D) Chapter 1347. of the Revised Code does not limit the provisions of this section.

(E)(1) To ensure that all employees of public offices are appropriately educated about a public office's obligations under division (B) of this section, all elected officials or their appropriate designees shall attend training approved by the attorney general as provided in section 109.43 of the Revised Code. A future official may satisfy the requirements of this division by attending the training before taking office, provided that the future official may not send a designee in the future official's place.

(2) All public offices shall adopt a public records policy in compliance with this section for responding to public records requests. In adopting a public records policy under this division, a public office may obtain guidance from the model public records policy developed and provided to the public office by the attorney general under section 109.43 of the Revised Code. Except as otherwise provided in this section, the policy may not limit the number of public records that the public office will make available to a single person,

may not limit the number of public records that it will make available during a fixed period of time, and may not establish a fixed period of time before it will respond to a request for inspection or copying of public records, unless that period is less than eight hours.

The public office shall distribute the public records policy adopted by the public office under this division to the employee 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 office 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.

(c) "Commercial" means profit-seeking production, buying, or selling of any good, service, or other product.

(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.

(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.

(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 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. 3701.25. (A) As used in this section:**

(1) "Board of health" means the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code.

(2) "Department" or "division" have the same meanings as in section 121.01 of the Revised Code.

(B) If a department, division, board of health, or a person or government entity under contract with any of the foregoing, including a health care facility, engages in efforts to trace and monitor the contacts of individuals infected with a contagious disease, all of the following apply:

(1) No individual shall be required to comply with tracing and monitoring efforts.

(2) Each individual contacted for participation in tracing and monitoring efforts must provide oral, written, electronic, or telephonic consent before the next step in the process may proceed.

(3) No penalty shall be imposed on an individual for refusing to participate in the tracing and monitoring process, including withholding medical treatment from the individual based on the refusal.

(4) Any record created during the tracing and monitoring process is not a public record under section 149.43 of the Revised Code. The department, division, board of health, or person or government entity under contract with any of the foregoing is subject to section 3701.17 of the Revised Code with respect to the disclosure of protected health information collected during the tracing and monitoring process.

**Sec. 5913.01. (A)** The adjutant general is the commander and administrative head of the Ohio organized militia. The adjutant general shall:

(1) Be provided offices and shall keep them open during usual business hours;

(2) Have and maintain custody of all military records, correspondence, and other documents of the Ohio organized militia;

(3) Superintend the preparation of all returns and reports required by the United States from the state on military matters;

(4) Keep a roster of all officers of the Ohio organized militia, including retired officers;

(5) Whenever necessary, cause the military provisions of the Revised Code and the orders, regulations, pamphlets, circulars, and memorandums of the adjutant general's department to be printed and distributed to the organizations of the Ohio organized militia;

(6) Prepare and issue all necessary Ohio organized militia forms and attest to all commissions issued to officers of the Ohio organized militia;

(7) Have a seal, and all copies of orders, records, and papers in the adjutant general's office certified and authenticated with that seal shall be competent evidence in like manner as if the originals were produced. All orders issued from the adjutant general's office shall bear a duplicate of the seal.

(8) Keep and preserve the arms, ordnance, equipment, and all other military property belonging to the state or issued to the state by the federal government and issue any regulations necessary to keep, preserve, and repair the property as conditions demand;

(9) Issue adjutant general's property to the units of the Ohio organized militia as the necessity of the service or organizational or allowance tables requires;

(10) Submit an annual report to the governor at such time as the governor requires of the transaction of the adjutant general's department, setting forth the strength and condition of the Ohio organized militia and other matters that the adjutant general chooses;

(11) Designate members of the Ohio national guard, who are participating in duties related to remotely piloted aircraft, including but not limited to, pilots, sensor operators, and mission intelligence personnel, duties related to special forces operations, or duties related to cybersecurity, as designated public service workers under section 149.43 of the Revised Code;

(12) Command the joint force headquarters of the Ohio national guard.

(B) The adjutant general shall issue and distribute all orders issued in the name of the governor as the commander in chief of the Ohio organized militia and perform the duties that the governor directs and other duties prescribed by

law.

(C) The adjutant general may enter into cooperative agreements, contractual arrangements, or agreements for the acceptance of grants with the United States or any agency or department of the United States, other states, any department or political subdivision of this state, or any person or body politic, to accomplish the purposes of the adjutant general's department. The adjutant general shall cooperate with, and not infringe upon, the rights of other state departments, divisions, boards, commissions, and agencies, political subdivisions, and other public officials and public and private agencies when the interests of the adjutant general's department and those other entities overlap.

The funds made available by the United States for the exclusive use of the department shall be expended only by the department and only for the purposes for which the federal funds were appropriated. In accepting federal funds, the department agrees to abide by the terms and conditions of the grant or cooperative agreement and further agrees to expend the federal funds in accordance with the laws and regulations of the United States."

In line 909, delete "section" and insert "sections"; after "149.43" insert "and 5913.01"

In line 910, delete "is" and insert "are"

Delete lines 911 through 921

The question being, "Shall the amendment be agreed to?"

The yeas and nays were taken and resulted – yeas 21, nays 11, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Dolan	Eklund	Gavarone	Hackett
Hoagland	Hottinger	Huffman, M.	Huffman, S.
Johnson	Manning	McColley	Peterson
Roegner	Schaffer	Schuring	Wilson
			Obhof-21

Those who voted in the negative were: Senators

Antonio	Craig	Fedor	Kunze
Lehner	Maharath	O'Brien	Sykes
Thomas	Williams		Yuko-11

The motion to amend was agreed to.

The question recurred, "Shall the bill, **H. B. No. 61**, pass?"

The yeas and nays were taken and resulted – yeas 23, nays 9, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Dolan	Eklund	Gavarone	Hackett
Hoagland	Hottinger	Huffman, M.	Huffman, S.

Johnson	Kunze	Lehner	Manning
McColley	Peterson	Roegner	Schaffer
Schuring	Wilson		Obhof-23

Those who voted in the negative were: Senators

Antonio	Craig	Fedor	Maharath
O'Brien	Sykes	Thomas	Williams
			Yuko-9

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Eklund moved to amend the title as follows:

Add the names: "Senators Brenner, Hackett, Hoagland, Hottinger, Huffman, S., Johnson, McColley, Peterson, Roegner, Wilson."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Senator Fedor moved to amend the title as follows:

Remove the name: "Senator Fedor."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

**Sub. H. B. No. 65**-Representative Carfagna.

Cosponsors: Representatives Boggs, Boyd, Crawley, Ginter, Hambley, LaTourette, Lipps, Miller, A., Miranda, Rogers, Russo, Smith, R., Stein, Weinstein, West, Abrams, Baldrige, Blair, Brent, Brown, Carruthers, Clites, Cross, Crossman, Denson, Edwards, Galonski, Ghanbari, Greenspan, Hicks-Hudson, Holmes, A., Hoops, Howse, Ingram, Jones, Jordan, Keller, Kelly, LaRe, Leland, Lepore-Hagan, Lightbody, Liston, Manning, D., Manning, G., Merrin, Miller, J., O'Brien, Oelslager, Patterson, Patton, Perales, Plummer, Richardson, Robinson, Ryan, Scherer, Sheehy, Skindell, Smith, T., Sobecki, Stephens, Upchurch. Senator Maharath.

To enact section 5104.043 of the Revised Code regarding parental notice of serious risks to the health or safety of children receiving child care, was considered the third time.

Senator Peterson moved that **Sub. H. B. No. 65** be informally passed and retain its place on the calendar.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

**Sub. H. B. No. 160**-Representative Ingram.

Cosponsors: Representatives Crawley, Crossman, Galonski, Kent, Lepore-Hagan, Lipps, Miller, A., Patterson, Upchurch, Wiggam, Kelly, Hambley, Russo, Sobecki, Wilkin, Blessing, Callender, Denson, Miller, J., Miranda, Seitz, Strahorn, Weinstein. Senators Hoagland, O'Brien, Maharath, Huffman,

S.

To amend sections 3717.22, 4301.17, 4301.82, 4303.041, 4303.051, and 4303.182 of the Revised Code to revise certain provisions of the liquor control laws and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 4, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator McColley moved to amend as follows:

In line 231, delete "fourteen" and insert "ten"

The question being, "Shall the amendment be agreed to?"

The motion to amend was agreed to.

Senator Kunze moved to amend as follows:

In line 683, after "(F)" insert "An A-5 permit holder shall include the surgeon general's warning specified under 27 U.S.C. 215 on each container of ice cream manufactured under the authority of this section. This division applies only to ice cream manufactured under the authority of this section that is sold in a retail food establishment or food service operation licensed pursuant to Chapter 3717. of the Revised Code that operates as a grocery store or convenience store."

In line 684, before "The" insert "(G)"

The question being, "Shall the amendment be agreed to?"

The motion to amend was agreed to.

The question recurred, "Shall the section, Section 4, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the section, Section 4, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 31, nays 1, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Kunze
Lehner	Maharath	Manning	McColley
O'Brien	Peterson	Roegner	Schaffer
Schuring	Sykes	Thomas	Williams
Wilson	Yuko		Obhof-31

Senator Johnson voted in the negative-1.

So the bill having received the required constitutional majority passed as an emergency measure.

The question being, "Shall the title be agreed to?"

Senator Hoagland moved to amend the title as follows:

Add the names: "Senators Blessing, Burke, Coley, Hackett, Kunze, Manning, McColley, Schuring, Thomas, Yuko."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

**Sub. H. B. No. 164**-Representative Ginter.

Cosponsors: Representatives Dean, Becker, Koehler, Schaffer, Riedel, Stoltzfus, Romanchuk, Smith, R., Carfagna, Lang, Merrin, Hood, Lipps, LaTourette, Ryan, Greenspan, Keller, Seitz, Jones, Smith, T., Baldridge, Butler, Cross, DeVitis, Fraizer, Ghanbari, Green, Holmes, A., Hoops, Jordan, Kick, McClain, Patton, Perales, Richardson, Scherer, Stein, Stephens, Swearingen. Senators Brenner, Huffman, S.

To amend sections 3313.601, 3314.02, 3314.03, 3326.11, 3328.24, and 3781.1010 and to enact sections 3320.01, 3320.02, 3320.03, and 3323.10 of the Revised Code and to amend Sections 265.210 and 265.335 of H.B. 166 of the 133rd General Assembly, as subsequently amended, Sections 16 and 17 of H.B. 197 of the 133rd General Assembly, and Section 7 of S.B. 216 of the 132nd General Assembly regarding student religious expression, regarding retention under the Third Grade Reading Guarantee for the 2020-2021 school year, to make changes to education law for the 2020-2021 school year in response to implications of COVID-19, to require the Department of Education to make an additional payment in fiscal year 2020 or 2021 to certain city, local, exempted village, and joint vocational school districts that experience a decrease in the taxable value of the district's utility tangible personal property and have at least one power plant in their territories, to permit a person to serve on more than five community school governing authorities under certain conditions, to extend until November 30, 2022, the moratorium on the building code requirement for storm shelters for school construction projects, to make changes regarding the Quality Community School Support Program, to provide an additional payment for fiscal year

2020 to school districts that experience a specified reduction in funding, to entitle the act the "Ohio Student Religious Liberties Act of 2019," to make an appropriation, and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 23, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the section, Section 23, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill having received the required constitutional majority passed as an emergency measure.

The question being, "Shall the title be agreed to?"

Senator Lehner moved to amend the title as follows:

Add the names: "Senators Antonio, Blessing, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Johnson, Kunze, Lehner, Manning, McColley, Obhof, O'Brien, Peterson, Roegner, Schaffer, Schuring, Sykes, Thomas, Wilson, Yuko."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

**Sub. H. B. No. 481**-Representative Fraizer.

Cosponsors: Representatives Hambley, Clites, Crossman, Ginter, Lanese, Stephens.

To authorize the conveyance of state-owned real property, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 481**, pass?"

Senator Antonio moved to amend as follows:

In line 1 of the title, after "To" insert "amend section 5540.03 of the Revised Code to"

In line 2 of the title, after "property" insert "and to apply the Prevailing Wage Law to transportation improvement district projects under certain circumstances"

After line 3542, insert:

**"Section 27.** That section 5540.03 of the Revised Code be amended to read as follows:

**Sec. 5540.03.** (A) A transportation improvement district may:

(1) Adopt bylaws for the regulation of its affairs and the conduct of its business;

(2) Adopt an official seal;

(3) Sue and be sued in its own name, plead and be impleaded, provided any actions against the district shall be brought in the court of common pleas of the county in which the principal office of the district is located, or in the court of common pleas of the county in which the cause of action arose, and all summonses, exceptions, and notices of every kind shall be served on the district by leaving a copy thereof at its principal office with the secretary-treasurer;

(4) Purchase, construct, maintain, repair, sell, exchange, police, operate, or lease projects;

(5) Issue either or both of the following for the purpose of providing funds to pay the costs of any project or part thereof:

(a) Transportation improvement district revenue bonds;

(b) Bonds pursuant to Section 13 of Article VIII, Ohio Constitution;

(6) Maintain such funds as it considers necessary;

(7) Direct its agents or employees, when properly identified in writing and



after at least five days' written notice, to enter upon lands within its jurisdiction to make surveys and examinations preliminary to the location and construction of projects for the district, without liability of the district or its agents or employees except for actual damage done;

(8) Make and enter into all contracts and agreements necessary or incidental to the performance of its functions and the execution of its powers under this chapter;

(9) Employ or retain or contract for the services of consulting engineers, superintendents, managers, and such other engineers, construction and accounting experts, financial advisers, trustees, marketing, remarketing, and administrative agents, attorneys, and other employees, independent contractors, or agents as are necessary in its judgment and fix their compensation, provided all such expenses shall be payable solely from the proceeds of bonds or from revenues;

(10) Receive and accept from the federal or any state or local government, including, but not limited to, any agency, entity, or instrumentality of any of the foregoing, loans and grants for or in aid of the construction, maintenance, or repair of any project, and receive and accept aid or contributions from any source or person of money, property, labor, or other things of value, to be held, used, and applied only for the purposes for which such loans, grants, and contributions are made. Nothing in division (A)(10) of this section shall be construed as imposing any liability on this state for any loan received by a transportation improvement district from a third party unless this state has entered into an agreement to accept such liability.

(11) Acquire, hold, and dispose of property in the exercise of its powers and the performance of its duties under this chapter;

(12) Establish and collect tolls or user charges for its projects;

(13) Subject to section 5540.18 of the Revised Code, enter into an agreement with a contiguous board of county commissioners other than the board of county commissioners that created the transportation improvement district, for the district to exercise all or any portion of its powers with respect to a project that is located wholly or partially within the county that is party to the agreement;

(14) Do all acts necessary and proper to carry out the powers expressly granted in this chapter.

(B)(1) Chapters 123., 124., 125., and 153., ~~and 4115.~~, and sections 9.331 to

9.335 and 307.86 of the Revised Code do not apply to contracts or projects of a transportation improvement district.

(2) A transportation improvement district is subject to sections 4115.03 to 4115.21 and 4115.99 of the Revised Code, unless the amount of state or local government funds, including, but not limited to, those provided by any agency, entity, or instrumentality of the state or a local government as described in division (A)(10) of this section received for the contract or project, is, in the aggregate, less than the amounts described in or calculated under section 4115.03 of the Revised Code.

**Section 28.** That existing section 5540.03 of the Revised Code is hereby repealed."

The question being, "Shall the amendment be agreed to?"

Senator Peterson moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted – yeas 17, nays 15, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Dolan	Eklund	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	McColley
Peterson	Roegner	Schaffer	Wilson
			Obhof-17

Those who voted in the negative were: Senators

Antonio	Craig	Fedor	Gavarone
Johnson	Kunze	Lehner	Maharath
Manning	O'Brien	Schuring	Sykes
Thomas	Williams		Yuko-15

The amendment was laid on the table.

Senator Dolan moved to amend as follows:

In line 1 of the title, delete "To" and insert "To amend sections 124.393, 5165.01, 5165.15, 5165.16, 5165.17, 5165.19, 5165.26, and 5166.01 and to repeal section 5165.361 of the Revised Code, to amend Section 333.10 of H.B. 166 of the 133rd General Assembly and Section 812.10 of H.B. 529 of the 132nd General Assembly, and to repeal Section 333.270 of H.B. 166 of the 133rd General Assembly to"

In line 2 of the title, after "property" insert ", to provide for the distribution of some federal coronavirus relief funding to local subdivisions, to revise the formula used to determine Medicaid rates for nursing facility services, to exclude loan amounts forgiven under the federal CARES Act from the

commercial activity tax, to allow a county, township, or municipal corporation appointing authority to establish a mandatory cost savings program in response to COVID-19, to allow certain state employees' salaries and pay supplements to be frozen during the pay period that includes July 1, 2020, through the pay period that includes June 30, 2021, to make capital reappropriations for the biennium ending June 30, 2022, to make other appropriations, and to declare an emergency"

After line 3542, insert:

**"Section 27.** (A) As used in this section:

(1) "Subdivision" means a county, township, or municipal corporation, and does not include a park district.

(2) "Ineligible subdivision" means a county or municipal corporation receiving a direct payment under section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(b)(2).

(3) "2019 LGF allocation" means the amount that would have been deposited to a county's county undivided local government fund in 2019 disregarding any reduction under section 5747.502 of the Revised Code and excluding any amounts deposited in that fund that were paid in that year to ineligible subdivisions or pursuant to section 5747.503 of the Revised Code.

(4) "2019 CULGF allocation" means the amount of funds from a county's county undivided local government fund a subdivision would have received in 2019 under section 5747.51 or 5747.53 of the Revised Code disregarding any reduction under section 5747.502 of the Revised Code and any adjustment because the subdivision, pursuant to an ordinance or resolution, elected to forgo all or a portion of its share of such funds.

(5) "Population" has the same meaning as in section 1.59 of the Revised Code.

(B) As soon as is practicable after the effective date of this section, the Director of Budget and Management, in consultation with the Tax Commissioner, shall provide for payment from the Coronavirus Relief Fund to each county treasury, to be deposited into a new fund in the county treasury to be named the county coronavirus relief distribution fund, which the county auditor shall create for this purpose. The amount of the payment to each county coronavirus relief distribution fund shall equal the amount appropriated under Section 28 of this act multiplied by a fraction, the numerator of which is the 2019 LGF allocation for that county and the denominator of which is the sum of the 2019 LGF allocations for all counties.

(C) Within seven days of deposit in the county coronavirus relief distribution fund of the payment described in division (B) of this section, the

county auditor shall distribute that money to the county, unless the county is an ineligible subdivision, and to each municipal corporation and township that is not an ineligible subdivision, in an amount equal to the amount of money in that fund multiplied by a fraction, the numerator of which equals the subdivision's 2019 CULGF allocation and the denominator of which equals the sum of the 2019 CULGF allocations from that county's county undivided local government fund for all such subdivisions.

Upon making the distribution, the county auditor shall report to the Director of Budget and Management the amount distributed to each subdivision. The report shall be made in the manner prescribed by the Director.

(D) To be eligible to receive a payment under division (C) of this section, the legislative authority of a county, township, or municipal corporation must adopt a resolution or ordinance affirming that the funds so received may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations. Subject to division (F) of this section, until the legislative authority adopts this resolution or ordinance, the subdivision's share of the money from the county coronavirus relief distribution fund shall remain in that fund. The legislative authority shall certify a copy of the resolution or ordinance to the county auditor and the Director of Budget and Management.

(E) Money received under division (C) of this section by a subdivision shall be deposited into a new fund in the subdivision's treasury to be named the local coronavirus relief fund, which the subdivision's fiscal officer shall create for this purpose. Money in that fund shall be used to cover only costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d). Money in a subdivision's local coronavirus relief fund shall be audited by the Auditor of State during the subdivision's next regular audit under section 117.11 of the Revised Code to determine whether money in the fund has been expended in accordance with the requirements of this section.

(F) Not later than October 15, 2020, the fiscal officer of each subdivision shall pay the unencumbered balance of money in the subdivision's local coronavirus relief fund to the county treasurer, who shall deposit this revenue in the county coronavirus relief distribution fund. On or before October 22, 2020, the county auditor shall distribute all money to the credit of the county coronavirus relief distribution fund as follows to the county and to each municipal corporation and township in that county, unless the subdivision is an ineligible subdivision or paid an unencumbered balance to the treasurer under this division or the subdivision's legislative authority has not adopted the resolution or ordinance required under division (D) of this section:

(1) Twenty-five per cent of the money to the county if it qualifies for a distribution under this division;

(2) The remaining balance to each such qualifying municipal corporation or township, of which the distribution to each shall equal the amount of the remaining balance multiplied by a fraction, the numerator of which is the population of the municipal corporation or the unincorporated area of the township, and the denominator of which is the sum of the populations of all such municipal corporations and the unincorporated areas of all such townships in the county eligible to receive a payment under division (F) of this section.

Money received by a subdivision under division (F) of this section shall be deposited in the subdivision's local coronavirus relief fund and used as required under division (E) of this section.

Upon making the distribution under this division, the county auditor shall report to the Director of Budget and Management the amount of the unencumbered balance paid to the county treasury by each subdivision making such a payment and the amount distributed to each subdivision receiving a distribution under this division. If no subdivision made such a payment to the county treasury, the auditor shall report that no such payments were made. The report shall be made in the manner prescribed by the Director.

(G) Not later than December 28, 2020, the fiscal officer of each subdivision shall pay the balance of money in the subdivision's local coronavirus relief fund that remains unexpended on that date to the state treasury in the manner prescribed by the Director of Budget and Management.

(H) A county, municipal corporation, or township receiving a payment from a county coronavirus relief distribution fund under this section shall, upon request, provide any information related to those payments or their expenditure to the Director of Budget and Management.

**Section 28.** All appropriation items in this section are appropriated out of money in the state treasury to the credit of the Coronavirus Relief Fund (Fund 5CV1). For all appropriations made in this section, the amounts in the first column are for fiscal year 2020 and the amounts in the second column are for fiscal year 2021. The appropriations made in this section are in addition to any other appropriations made for the FY 2020-FY 2021 biennium.

	1	2	3	4	5
A	OBM OFFICE OF BUDGET AND MANAGEMENT				
B	Dedicated Purpose Fund Group				

C	5CV1	042501 Coronavirus Relief - Local Govt	\$ 350,000,000	\$ 0
D	TOTAL DPF	Dedicated Purpose Fund Group	\$ 350,000,000	\$ 0
E	TOTAL ALL BUDGET FUND GROUPS		\$ 350,000,000	\$ 0

Amounts appropriated in line item 042501, Coronavirus Relief - Local Govt, are to be distributed as specified in Section 1 of this act. Any unencumbered and unexpended amounts left at the end of fiscal year 2020 are hereby reappropriated in fiscal year 2021.

Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in H.B. 166 of the 133rd General Assembly.

The appropriations made in this act are subject to all provisions of H.B. 166 of the 133rd General Assembly that are generally applicable to such appropriations.

**Section 29.** That sections 124.393, 5165.01, 5165.15, 5165.16, 5165.17, 5165.19, 5165.26, and 5166.01 of the Revised Code be amended to read as follows:

**Sec. 124.393.** (A) As used in this section:

(1) "Exempt employee" means a permanent full-time or permanent part-time county, township, or municipal corporation employee who is not subject to a collective bargaining agreement between a public employer and an exclusive representative.

(2) "Fiscal emergency" means any of the following:

(a) A fiscal emergency declared by the governor under section 126.05 of the Revised Code.

(b) A fiscal watch or fiscal emergency has been declared or determined under section 118.023 or 118.04 of the Revised Code.

(c) Lack of funds as defined in section 124.321 of the Revised Code.

(d) Reasons of economy as described in section 124.321 of the Revised Code.

(3) "Lack of work" has the same meaning as in section 124.321 of the Revised Code.

(B)(1) A county, township, or municipal corporation appointing authority may establish a mandatory cost savings program applicable to its exempt employees. Each exempt employee shall participate in the program of mandatory cost savings for not more than eighty hours, as determined by the appointing authority, in each of state fiscal years 2010 to 2013. The program may include, but is not limited to, a loss of pay or loss of holiday pay. The program may be administered differently among employees based on their classifications, appointment categories, or other relevant distinctions.

(2) After June 30, 2013, a county, township, or municipal corporation appointing authority may implement mandatory cost savings days as described in division (B)(1) of this section that apply to its exempt employees in the event of a fiscal emergency.

(C) A county, township, or municipal corporation appointing authority shall issue guidelines concerning how the appointing authority will implement the cost savings program.

(D)(1) A county, township, or municipal corporation appointing authority may establish a mandatory cost savings program applicable to its exempt employees in the event of a fiscal emergency or lack of work due to COVID-19. Each exempt employee shall participate in the program of mandatory cost savings for not more than one hundred sixty hours, as determined by the appointing authority, in state fiscal year 2021. The program may include, but is not limited to, a loss of pay or loss of holiday pay. The program may be administered differently among employees based on their classifications, appointment categories, or other relevant distinctions.

(2) A county, township, or municipal corporation appointing authority that establishes a mandatory cost savings program under division (D)(1) of this section shall issue guidelines concerning how the appointing authority will implement the cost savings program.

**Sec. 5165.01.** As used in this chapter:

(A) "Affiliated operator" means an operator affiliated with either of the following:

(1) The exiting operator for whom the affiliated operator is to assume liability for the entire amount of the exiting operator's debt under the medicaid program or the portion of the debt that represents the franchise permit fee the exiting operator owes;

(2) The entering operator involved in the change of operator with the exiting operator specified in division (A)(1) of this section.

(B) "Allowable costs" are a nursing facility's costs that the department of medicaid determines are reasonable. Fines paid under sections 5165.60 to 5165.89 and section 5165.99 of the Revised Code are not allowable costs.

(C) "Ancillary and support costs" means all reasonable costs incurred by a nursing facility other than direct care costs, tax costs, or capital costs. "Ancillary and support costs" includes, but is not limited to, costs of activities, social services, pharmacy consultants, habilitation supervisors, qualified intellectual disability professionals, program directors, medical and habilitation records, program supplies, incontinence supplies, food, enterals, dietary supplies and personnel, laundry, housekeeping, security, administration, medical equipment, utilities, liability insurance, bookkeeping, purchasing department, human resources, communications, travel, dues, license fees, subscriptions, home office costs not otherwise allocated, legal services, accounting services, minor equipment, maintenance and repairs, help-wanted advertising, informational advertising, start-up costs, organizational expenses, other interest, property insurance, employee training and staff development, employee benefits, payroll taxes, and workers' compensation premiums or costs for self-insurance claims and related costs as specified in rules adopted under section 5165.02 of the Revised Code, for personnel listed in this division. "Ancillary and support costs" also means the cost of equipment, including vehicles, acquired by operating lease executed before December 1, 1992, if the costs are reported as administrative and general costs on the nursing facility's cost report for the cost reporting period ending December 31, 1992.

(D) "Applicable calendar year" means the calendar year immediately preceding the calendar year that precedes the first of the state fiscal years for which a rebasing is conducted.

~~(E) "Budget reduction adjustment factor" means the factor specified pursuant to or in section 5165.361 of the Revised Code for a state fiscal year.~~

~~(F)~~(1) "Capital costs" means the actual expense incurred by a nursing facility for all of the following:

(a) Depreciation and interest on any capital assets that cost five hundred dollars or more per item, including the following:

- (i) Buildings;
- (ii) Building improvements;
- (iii) Except as provided in division (C) of this section, equipment;
- (iv) Transportation equipment.



(b) Amortization and interest on land improvements and leasehold improvements;

(c) Amortization of financing costs;

(d) Lease and rent of land, buildings, and equipment.

(2) The costs of capital assets of less than five hundred dollars per item may be considered capital costs in accordance with a provider's practice.

~~(G)~~(F) "Capital lease" and "operating lease" shall be construed in accordance with generally accepted accounting principles.

~~(H)~~(G) "Case-mix score" means a measure determined under section 5165.192 of the Revised Code of the relative direct-care resources needed to provide care and habilitation to a nursing facility resident.

~~(H)~~(H) "Change of operator" means an entering operator becoming the operator of a nursing facility in the place of the exiting operator.

(1) Actions that constitute a change of operator include the following:

(a) A change in an exiting operator's form of legal organization, including the formation of a partnership or corporation from a sole proprietorship;

(b) A transfer of all the exiting operator's ownership interest in the operation of the nursing facility to the entering operator, regardless of whether ownership of any or all of the real property or personal property associated with the nursing facility is also transferred;

(c) A lease of the nursing facility to the entering operator or the exiting operator's termination of the exiting operator's lease;

(d) If the exiting operator is a partnership, dissolution of the partnership;

(e) If the exiting operator is a partnership, a change in composition of the partnership unless both of the following apply:

(i) The change in composition does not cause the partnership's dissolution under state law.

(ii) The partners agree that the change in composition does not constitute a change in operator.

(f) If the operator is a corporation, dissolution of the corporation, a merger of the corporation into another corporation that is the survivor of the merger, or a consolidation of one or more other corporations to form a new corporation.

(2) The following, alone, do not constitute a change of operator:

(a) A contract for an entity to manage a nursing facility as the operator's

agent, subject to the operator's approval of daily operating and management decisions;

(b) A change of ownership, lease, or termination of a lease of real property or personal property associated with a nursing facility if an entering operator does not become the operator in place of an exiting operator;

(c) If the operator is a corporation, a change of one or more members of the corporation's governing body or transfer of ownership of one or more shares of the corporation's stock, if the same corporation continues to be the operator.

~~(J)~~(I) "Cost center" means the following:

- (1) Ancillary and support costs;
- (2) Capital costs;
- (3) Direct care costs;
- (4) Tax costs.

~~(K)~~(J) "Custom wheelchair" means a wheelchair to which both of the following apply:

(1) It has been measured, fitted, or adapted in consideration of either of the following:

(a) The body size or disability of the individual who is to use the wheelchair;

(b) The individual's period of need for, or intended use of, the wheelchair.

(2) It has customized features, modifications, or components, such as adaptive seating and positioning systems, that the supplier who assembled the wheelchair, or the manufacturer from which the wheelchair was ordered, added or made in accordance with the instructions of the physician of the individual who is to use the wheelchair.

~~(L)~~(I)~~(K)~~(1) "Date of licensure" means the following:

(a) In the case of a nursing facility that was required by law to be licensed as a nursing home under Chapter 3721. of the Revised Code when it originally began to be operated as a nursing home, the date the nursing facility was originally so licensed;

(b) In the case of a nursing facility that was not required by law to be licensed as a nursing home when it originally began to be operated as a nursing home, the date it first began to be operated as a nursing home, regardless of the date the nursing facility was first licensed as a nursing home.

(2) If, after a nursing facility's original date of licensure, more nursing home beds are added to the nursing facility, the nursing facility has a different

date of licensure for the additional beds. This does not apply, however, to additional beds when both of the following apply:

(a) The additional beds are located in a part of the nursing facility that was constructed at the same time as the continuing beds already located in that part of the nursing facility;

(b) The part of the nursing facility in which the additional beds are located was constructed as part of the nursing facility at a time when the nursing facility was not required by law to be licensed as a nursing home.

(3) The definition of "date of licensure" in this section applies in determinations of nursing facilities' medicaid payment rates but does not apply in determinations of nursing facilities' franchise permit fees.

~~(M)~~(L) "Desk-reviewed" means that a nursing facility's costs as reported on a cost report submitted under section 5165.10 of the Revised Code have been subjected to a desk review under section 5165.108 of the Revised Code and preliminarily determined to be allowable costs.

~~(N)~~(M) "Direct care costs" means all of the following costs incurred by a nursing facility:

(1) Costs for registered nurses, licensed practical nurses, and nurse aides employed by the nursing facility;

(2) Costs for direct care staff, administrative nursing staff, medical directors, respiratory therapists, and except as provided in division ~~(N)~~(M) ~~(8)~~ of this section, other persons holding degrees qualifying them to provide therapy;

(3) Costs of purchased nursing services;

(4) Costs of quality assurance;

(5) Costs of training and staff development, employee benefits, payroll taxes, and workers' compensation premiums or costs for self-insurance claims and related costs as specified in rules adopted under section 5165.02 of the Revised Code, for personnel listed in divisions ~~(N)~~(M) ~~(1)~~, (2), (4), and (8) of this section;

(6) Costs of consulting and management fees related to direct care;

(7) Allocated direct care home office costs;

(8) Costs of habilitation staff (other than habilitation supervisors), medical supplies, emergency oxygen, over-the-counter pharmacy products, physical therapists, physical therapy assistants, occupational therapists, occupational therapy assistants, speech therapists, audiologists, habilitation supplies, and universal precautions supplies;

(9) Costs of wheelchairs other than the following:

(a) Custom wheelchairs;

(b) Repairs to and replacements of custom wheelchairs and parts that are made in accordance with the instructions of the physician of the individual who uses the custom wheelchair.

(10) Costs of other direct-care resources that are specified as direct care costs in rules adopted under section 5165.02 of the Revised Code.

~~(O)~~(N) "Dual eligible individual" has the same meaning as in section 5160.01 of the Revised Code.

~~(P)~~(O) "Effective date of a change of operator" means the day the entering operator becomes the operator of the nursing facility.

~~(O)~~(P) "Effective date of a facility closure" means the last day that the last of the residents of the nursing facility resides in the nursing facility.

~~(R)~~(Q) "Effective date of an involuntary termination" means the date the department of medicaid terminates the operator's provider agreement for the nursing facility.

~~(S)~~(R) "Effective date of a voluntary withdrawal of participation" means the day the nursing facility ceases to accept new medicaid residents other than the individuals who reside in the nursing facility on the day before the effective date of the voluntary withdrawal of participation.

~~(T)~~(S) "Entering operator" means the person or government entity that will become the operator of a nursing facility when a change of operator occurs or following an involuntary termination.

~~(U)~~(T) "Exiting operator" means any of the following:

(1) An operator that will cease to be the operator of a nursing facility on the effective date of a change of operator;

(2) An operator that will cease to be the operator of a nursing facility on the effective date of a facility closure;

(3) An operator of a nursing facility that is undergoing or has undergone a voluntary withdrawal of participation;

(4) An operator of a nursing facility that is undergoing or has undergone an involuntary termination.

~~(V)~~~~(1)~~(U)(1) Subject to divisions ~~(V)~~~~(2)~~(U)(2) and (3) of this section, "facility closure" means either of the following:

(a) Discontinuance of the use of the building, or part of the building, that houses the facility as a nursing facility that results in the relocation of all of

the nursing facility's residents;

(b) Conversion of the building, or part of the building, that houses a nursing facility to a different use with any necessary license or other approval needed for that use being obtained and one or more of the nursing facility's residents remaining in the building, or part of the building, to receive services under the new use.

(2) A facility closure occurs regardless of any of the following:

(a) The operator completely or partially replacing the nursing facility by constructing a new nursing facility or transferring the nursing facility's license to another nursing facility;

(b) The nursing facility's residents relocating to another of the operator's nursing facilities;

(c) Any action the department of health takes regarding the nursing facility's medicaid certification that may result in the transfer of part of the nursing facility's survey findings to another of the operator's nursing facilities;

(d) Any action the department of health takes regarding the nursing facility's license under Chapter 3721. of the Revised Code.

(3) A facility closure does not occur if all of the nursing facility's residents are relocated due to an emergency evacuation and one or more of the residents return to a medicaid-certified bed in the nursing facility not later than thirty days after the evacuation occurs.

~~(W)~~(V) "Franchise permit fee" means the fee imposed by sections 5168.40 to 5168.56 of the Revised Code.

~~(X)~~(W) "Inpatient days" means both of the following:

(1) All days during which a resident, regardless of payment source, occupies a bed in a nursing facility that is included in the nursing facility's medicaid-certified capacity;

(2) Fifty per cent of the days for which payment is made under section 5165.34 of the Revised Code.

~~(Y)~~(X) "Involuntary termination" means the department of medicaid's termination of the operator's provider agreement for the nursing facility when the termination is not taken at the operator's request.

~~(Z)~~(Y) "Low resource utilization resident" means a medicaid recipient residing in a nursing facility who, for purposes of calculating the nursing facility's medicaid payment rate for direct care costs, is placed in either of the two lowest resource utilization groups, excluding any resource utilization group that is a default group used for residents with incomplete assessment

data.

~~(AA)~~~~(Z)~~ "Maintenance and repair expenses" means a nursing facility's expenditures that are necessary and proper to maintain an asset in a normally efficient working condition and that do not extend the useful life of the asset two years or more. "Maintenance and repair expenses" includes but is not limited to the costs of ordinary repairs such as painting and wallpapering.

~~(BB)~~~~(AA)~~ "Medicaid-certified capacity" means the number of a nursing facility's beds that are certified for participation in medicaid as nursing facility beds.

~~(CC)~~~~(BB)~~ "Medicaid days" means both of the following:

(1) All days during which a resident who is a medicaid recipient eligible for nursing facility services occupies a bed in a nursing facility that is included in the nursing facility's medicaid-certified capacity;

(2) Fifty per cent of the days for which payment is made under section 5165.34 of the Revised Code.

~~(DD)~~ "Medicare skilled nursing facility market basket index" means the index established by the United States secretary of health and human services under section 1888(e)(5) of the "Social Security Act," 42 U.S.C. 1395yy(e)(5).

~~(EE)~~~~(1)~~~~(CC)~~~~(1)~~ "New nursing facility" means a nursing facility for which the provider obtains an initial provider agreement following medicaid certification of the nursing facility by the director of health, including such a nursing facility that replaces one or more nursing facilities for which a provider previously held a provider agreement.

(2) "New nursing facility" does not mean a nursing facility for which the entering operator seeks a provider agreement pursuant to section 5165.511 or 5165.512 or (pursuant to section 5165.515) section 5165.07 of the Revised Code.

~~(FF)~~~~(DD)~~ "Nursing facility" has the same meaning as in the "Social Security Act," section 1919(a), 42 U.S.C. 1396r(a).

~~(GG)~~~~(EE)~~ "Nursing facility services" has the same meaning as in the "Social Security Act," section 1905(f), 42 U.S.C. 1396d(f).

~~(HH)~~~~(FF)~~ "Nursing home" has the same meaning as in section 3721.01 of the Revised Code.

~~(H)~~~~(GG)~~ "Operator" means the person or government entity responsible for the daily operating and management decisions for a nursing facility.

~~(J)~~~~(1)~~~~(HH)~~~~(1)~~ "Owner" means any person or government entity that has at

least five per cent ownership or interest, either directly, indirectly, or in any combination, in any of the following regarding a nursing facility:

- (a) The land on which the nursing facility is located;
- (b) The structure in which the nursing facility is located;
- (c) Any mortgage, contract for deed, or other obligation secured in whole or in part by the land or structure on or in which the nursing facility is located;
- (d) Any lease or sublease of the land or structure on or in which the nursing facility is located.

(2) "Owner" does not mean a holder of a debenture or bond related to the nursing facility and purchased at public issue or a regulated lender that has made a loan related to the nursing facility unless the holder or lender operates the nursing facility directly or through a subsidiary.

~~(KK)~~(II) "Per diem" means a nursing facility's actual, allowable costs in a given cost center in a cost reporting period, divided by the nursing facility's inpatient days for that cost reporting period.

~~(LL)~~(JJ) "Provider" means an operator with a provider agreement.

~~(MM)~~(KK) "Provider agreement" means a provider agreement, as defined in section 5164.01 of the Revised Code, that is between the department of medicaid and the operator of a nursing facility for the provision of nursing facility services under the medicaid program.

~~(NN)~~(LL) "Purchased nursing services" means services that are provided in a nursing facility by registered nurses, licensed practical nurses, or nurse aides who are not employees of the nursing facility.

~~(OO)~~(MM) "Reasonable" means that a cost is an actual cost that is appropriate and helpful to develop and maintain the operation of patient care facilities and activities, including normal standby costs, and that does not exceed what a prudent buyer pays for a given item or services. Reasonable costs may vary from provider to provider and from time to time for the same provider.

~~(PP)~~(NN) "Rebasing" means a redetermination of each of the following using information from cost reports for an applicable calendar year that is later than the applicable calendar year used for the previous rebasing:

- (1) Each peer group's rate for ancillary and support costs as determined pursuant to division (C) of section 5165.16 of the Revised Code;
- (2) Each peer group's rate for capital costs as determined pursuant to division (C) of section 5165.17 of the Revised Code;
- (3) Each peer group's cost per case-mix unit as determined pursuant to

division (C) of section 5165.19 of the Revised Code;

(4) Each nursing facility's rate for tax costs as determined pursuant to section 5165.21 of the Revised Code.

~~(QQ)~~(OO) "Related party" means an individual or organization that, to a significant extent, has common ownership with, is associated or affiliated with, has control of, or is controlled by, the provider.

(1) An individual who is a relative of an owner is a related party.

(2) Common ownership exists when an individual or individuals possess significant ownership or equity in both the provider and the other organization. Significant ownership or equity exists when an individual or individuals possess five per cent ownership or equity in both the provider and a supplier. Significant ownership or equity is presumed to exist when an individual or individuals possess ten per cent ownership or equity in both the provider and another organization from which the provider purchases or leases real property.

(3) Control exists when an individual or organization has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization.

(4) An individual or organization that supplies goods or services to a provider shall not be considered a related party if all of the following conditions are met:

(a) The supplier is a separate bona fide organization.

(b) A substantial part of the supplier's business activity of the type carried on with the provider is transacted with others than the provider and there is an open, competitive market for the types of goods or services the supplier furnishes.

(c) The types of goods or services are commonly obtained by other nursing facilities from outside organizations and are not a basic element of patient care ordinarily furnished directly to patients by nursing facilities.

(d) The charge to the provider is in line with the charge for the goods or services in the open market and no more than the charge made under comparable circumstances to others by the supplier.

~~(RR)~~(PP) "Relative of owner" means an individual who is related to an owner of a nursing facility by one of the following relationships:

(1) Spouse;

(2) Natural parent, child, or sibling;

(3) Adopted parent, child, or sibling;



(4) Stepparent, stepchild, stepbrother, or stepsister;

(5) Father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law;

(6) Grandparent or grandchild;

(7) Foster caregiver, foster child, foster brother, or foster sister.

~~(SS)~~(QQ) "Residents' rights advocate" has the same meaning as in section 3721.10 of the Revised Code.

~~(TT)~~(RR) "Skilled nursing facility" has the same meaning as in the "Social Security Act," section 1819(a), 42 U.S.C. 1395i-3(a).

~~(UU)~~(SS) "State fiscal year" means the fiscal year of this state, as specified in section 9.34 of the Revised Code.

~~(VV)~~(TT) "Sponsor" has the same meaning as in section 3721.10 of the Revised Code.

~~(WW)~~(UU) "Tax costs" means the costs of taxes imposed under Chapter 5751. of the Revised Code, real estate taxes, personal property taxes, and corporate franchise taxes.

~~(XX)~~(VV) "Title XIX" means Title XIX of the "Social Security Act," 42 U.S.C. 1396 et seq.

~~(YY)~~(WW) "Title XVIII" means Title XVIII of the "Social Security Act," 42 U.S.C. 1395 et seq.

~~(ZZ)~~(XX) "Voluntary withdrawal of participation" means an operator's voluntary election to terminate the participation of a nursing facility in the medicaid program but to continue to provide service of the type provided by a nursing facility.

**Sec. 5165.15.** Except as otherwise provided by sections 5165.151 to 5165.157 and 5165.34 of the Revised Code, the total per medicaid day payment rate that the department of medicaid shall pay a nursing facility provider for nursing facility services the provider's nursing facility provides during a state fiscal year shall be determined as follows:

(A) Determine the sum of all of the following:

(1) The per medicaid day payment rate for ancillary and support costs determined for the nursing facility under section 5165.16 of the Revised Code;

(2) The per medicaid day payment rate for capital costs determined for the nursing facility under section 5165.17 of the Revised Code;

(3) The per medicaid day payment rate for direct care costs determined for

the nursing facility under section 5165.19 of the Revised Code;

(4) The per medicaid day payment rate for tax costs determined for the nursing facility under section 5165.21 of the Revised Code;

(5) If the nursing facility qualifies as a critical access nursing facility, the nursing facility's critical access incentive payment paid under section 5165.23 of the Revised Code.

(B) To the sum determined under division (A) of this section, add sixteen dollars and forty-four cents.

(C) From the sum determined under division (B) of this section, subtract one dollar and seventy-nine cents.

(D) To the difference determined under division (C) of this section, add the per medicaid day quality payment rate determined for the nursing facility under section 5165.25 of the Revised Code.

(E) To the sum determined under division (D) of this section, add, for ~~the second half of state fiscal year 2020 and all of each state fiscal year thereafter~~2021, the per medicaid day quality incentive payment rate determined for the nursing facility under section 5165.26 of the Revised Code.

**Sec. 5165.16.** (A) The department of medicaid shall determine each nursing facility's per medicaid day payment rate for ancillary and support costs. A nursing facility's rate shall be the rate determined under division (C) of this section for the nursing facility's peer group.

(B) For the purpose of determining nursing facilities' rates for ancillary and support costs, the department shall establish six peer groups composed as follows:

(1) Each nursing facility located in any of the following counties shall be placed in peer group one or two: Brown, Butler, Clermont, Clinton, Hamilton, and Warren. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group one. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group two.

(2) Each nursing facility located in any of the following counties shall be placed in peer group three or four: Allen, Ashtabula, Champaign, Clark, Cuyahoga, Darke, Delaware, Fairfield, Fayette, Franklin, Fulton, Geauga, Greene, Hancock, Knox, Lake, Licking, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Miami, Montgomery, Morrow, Ottawa, Pickaway, Portage, Preble, Ross, Sandusky, Seneca, Stark, Summit, Trumbull, Union, and Wood. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group three. Each nursing facility located

in any of those counties that has one hundred or more beds shall be placed in peer group four.

(3) Each nursing facility located in any of the following counties shall be placed in peer group five or six: Adams, Ashland, Athens, Auglaize, Belmont, Carroll, Columbiana, Coshocton, Crawford, Defiance, Erie, Gallia, Guernsey, Hardin, Harrison, Henry, Highland, Hocking, Holmes, Huron, Jackson, Jefferson, Lawrence, Logan, Meigs, Mercer, Monroe, Morgan, Muskingum, Noble, Paulding, Perry, Pike, Putnam, Richland, Scioto, Shelby, Tuscarawas, Van Wert, Vinton, Washington, Wayne, Williams, and Wyandot. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group five. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group six.

(C)(1) The department shall determine the rate for ancillary and support costs for each peer group established under division (B) of this section. The rate for ancillary and support costs determined under this division for a peer group shall be used for subsequent years until the department conducts a rebasing. To determine a peer group's rate for ancillary and support costs, the department shall do all of the following:

(a) Subject to division (C)(2) of this section, determine the rate for ancillary and support costs for each nursing facility in the peer group for the applicable calendar year by using the greater of the nursing facility's actual inpatient days for the applicable calendar year or the inpatient days the nursing facility would have had for the applicable calendar year if its occupancy rate had been ninety per cent;

(b) Subject to division (C)(3) of this section, identify which nursing facility in the peer group is at the twenty-fifth percentile of the rate for ancillary and support costs for the applicable calendar year determined under division (C)(1)(a) of this section;

(c) Multiply the rate for ancillary and support costs determined under division (C)(1)(a) of this section for the nursing facility identified under division (C)(1)(b) of this section by the rate of inflation for the eighteen-month period beginning on the first day of July of the applicable calendar year and ending the last day of December of the calendar year immediately following the applicable calendar year using the following:

(i) Except as provided in division (C)(1)(c)(ii) of this section, the consumer price index for all items for all urban consumers for the midwest region, published by the United States bureau of labor statistics;

(ii) If the United States bureau of labor statistics ceases to publish the index specified in division (C)(1)(c)(i) of this section, the index the bureau

subsequently publishes that covers urban consumers' prices for items for the region that includes this state.

~~(d) For state fiscal year 2020 and each state fiscal year thereafter (other than the first state fiscal year in a group of consecutive state fiscal years for which a rebasing is conducted), adjust the amount calculated under division (C)(1)(e) of this section using the difference between the following:~~

~~(i) The medicare skilled nursing facility market basket index determined for the federal fiscal year that begins during the state fiscal year immediately preceding the state fiscal year for which the adjustment is being made under division (C)(1)(d) of this section;~~

~~(ii) The budget reduction adjustment factor for the state fiscal year for which the adjustment is being made under division (C)(1)(d) of this section.~~

(2) For the purpose of determining a nursing facility's occupancy rate under division (C)(1)(a) of this section, the department shall include any beds that the nursing facility removes from its medicaid-certified capacity unless the nursing facility also removes the beds from its licensed bed capacity.

(3) In making the identification under division (C)(1)(b) of this section, the department shall exclude both of the following:

(a) Nursing facilities that participated in the medicaid program under the same provider for less than twelve months in the applicable calendar year;

(b) Nursing facilities whose ancillary and support costs are more than one standard deviation from the mean desk-reviewed, actual, allowable, per diem ancillary and support cost for all nursing facilities in the nursing facility's peer group for the applicable calendar year.

(4) The department shall not redetermine a peer group's rate for ancillary and support costs under this division based on additional information that it receives after the rate is determined. The department shall redetermine a peer group's rate for ancillary and support costs only if the department made an error in determining the rate based on information available to the department at the time of the original determination.

**Sec. 5165.17.** (A) The department of medicaid shall determine each nursing facility's per medicaid day payment rate for capital costs. A nursing facility's rate shall be the rate determined under division (C) of this section for the nursing facility's peer group.

(B) For the purpose of determining nursing facilities' rates for capital costs, the department shall establish six peer groups.

(1) Each nursing facility located in any of the following counties shall be placed in peer group one or two: Brown, Butler, Clermont, Clinton, Hamilton,

and Warren. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group one. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group two.

(2) Each nursing facility located in any of the following counties shall be placed in peer group three or four: Allen, Ashtabula, Champaign, Clark, Cuyahoga, Darke, Delaware, Fairfield, Fayette, Franklin, Fulton, Geauga, Greene, Hancock, Knox, Lake, Licking, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Miami, Montgomery, Morrow, Ottawa, Pickaway, Portage, Preble, Ross, Sandusky, Seneca, Stark, Summit, Trumbull, Union, and Wood. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group three. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group four.

(3) Each nursing facility located in any of the following counties shall be placed in peer group five or six: Adams, Ashland, Athens, Auglaize, Belmont, Carroll, Columbiana, Coshocton, Crawford, Defiance, Erie, Gallia, Guernsey, Hardin, Harrison, Henry, Highland, Hocking, Holmes, Huron, Jackson, Jefferson, Lawrence, Logan, Meigs, Mercer, Monroe, Morgan, Muskingum, Noble, Paulding, Perry, Pike, Putnam, Richland, Scioto, Shelby, Tuscarawas, Van Wert, Vinton, Washington, Wayne, Williams, and Wyandot. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group five. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group six.

(C)(1) The department shall determine the rate for capital costs for each peer group established under division (B) of this section. The rate for capital costs determined under this division for a peer group shall be used for subsequent years until the department conducts a rebasing. ~~To determine a A peer group's rate for capital costs, the department shall do both of the following:~~

~~(a) Determine be the rate for capital costs for the nursing facility in the peer group that is at the twenty-fifth percentile of the rate for capital costs for the applicable calendar year;~~

~~(b) For state fiscal year 2020 and each state fiscal year thereafter (other than the first state fiscal year in a group of consecutive state fiscal years for which a rebasing is conducted), adjust the amount calculated under division (C)(1)(a) of this section using the difference between the following:~~

~~(i) The medicare skilled nursing facility market basket index determined for the federal fiscal year that begins during the state fiscal year immediately preceding the state fiscal year for which the adjustment is being made under~~

division (C)(1)(a) of this section;

~~(ii) The budget reduction adjustment factor for the state fiscal year for which the adjustment is being made under division (C)(1)(a) of this section.~~

(2) To identify the nursing facility in a peer group that is at the twenty-fifth percentile of the rate for capital costs for the applicable calendar year, the department shall do both of the following:

(a) Subject to division (C)(3) of this section, use the greater of each nursing facility's actual inpatient days for the applicable calendar year or the inpatient days the nursing facility would have had for the applicable calendar year if its occupancy rate had been one hundred per cent;

(b) Exclude both of the following:

(i) Nursing facilities that participated in the medicaid program under the same provider for less than twelve months in the applicable calendar year;

(ii) Nursing facilities whose capital costs are more than one standard deviation from the mean desk-reviewed, actual, allowable, per diem capital cost for all nursing facilities in the nursing facility's peer group for the applicable calendar year.

(3) For the purpose of determining a nursing facility's occupancy rate under division (C)(2)(a) of this section, the department shall include any beds that the nursing facility removes from its medicaid-certified capacity after June 30, 2005, unless the nursing facility also removes the beds from its licensed bed capacity.

(4) The department shall not redetermine a peer group's rate for capital costs under this division based on additional information that it receives after the rate is determined. The department shall redetermine a peer group's rate for capital costs only if the department made an error in determining the rate based on information available to the department at the time of the original determination.

(D) Buildings shall be depreciated using the straight line method over forty years or over a different period approved by the department. Components and equipment shall be depreciated using the straight-line method over a period designated in rules adopted under section 5165.02 of the Revised Code, consistent with the guidelines of the American hospital association, or over a different period approved by the department. Any rules authorized by this division that specify useful lives of buildings, components, or equipment apply only to assets acquired on or after July 1, 1993. Depreciation for costs paid or reimbursed by any government agency shall not be included in capital costs unless that part of the payment under this chapter is used to reimburse the government agency.

(E) The capital cost basis of nursing facility assets shall be determined in the following manner:

(1) Except as provided in division (E)(3) of this section, for purposes of calculating the rates to be paid for facilities with dates of licensure on or before June 30, 1993, the capital cost basis of each asset shall be equal to the desk-reviewed, actual, allowable, capital cost basis that is listed on the facility's cost report for the calendar year preceding the state fiscal year during which the rate will be paid.

(2) For facilities with dates of licensure after June 30, 1993, the capital cost basis shall be determined in accordance with the principles of the medicare program, except as otherwise provided in this chapter.

(3) Except as provided in division (E)(4) of this section, if a provider transfers an interest in a facility to another provider after June 30, 1993, there shall be no increase in the capital cost basis of the asset if the providers are related parties or the provider to which the interest is transferred authorizes the provider that transferred the interest to continue to operate the facility under a lease, management agreement, or other arrangement. If the previous sentence does not prohibit the adjustment of the capital cost basis under this division, the basis of the asset shall be adjusted by one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, during the time that the transferor held the asset.

(4) If a provider transfers an interest in a facility to another provider who is a related party, the capital cost basis of the asset shall be adjusted as specified in division (E)(3) of this section if all of the following conditions are met:

(a) The related party is a relative of owner;

(b) Except as provided in division (E)(4)(c)(ii) of this section, the provider making the transfer retains no ownership interest in the facility;

(c) The department determines that the transfer is an arm's length transaction pursuant to rules adopted under section 5165.02 of the Revised Code. The rules shall provide that a transfer is an arm's length transaction if all of the following apply:

(i) Once the transfer goes into effect, the provider that made the transfer has no direct or indirect interest in the provider that acquires the facility or the facility itself, including interest as an owner, officer, director, employee, independent contractor, or consultant, but excluding interest as a creditor.

(ii) The provider that made the transfer does not reacquire an interest in the facility except through the exercise of a creditor's rights in the event of a default. If the provider reacquires an interest in the facility in this manner, the

department shall treat the facility as if the transfer never occurred when the department calculates its reimbursement rates for capital costs.

(iii) The transfer satisfies any other criteria specified in the rules.

(d) Except in the case of hardship caused by a catastrophic event, as determined by the department, or in the case of a provider making the transfer who is at least sixty-five years of age, not less than twenty years have elapsed since, for the same facility, the capital cost basis was adjusted most recently under division (E)(4) of this section or actual, allowable capital costs was determined most recently under division (F)(9) of this section.

(F) As used in this division:

"Imputed interest" means the lesser of the prime rate plus two per cent or ten per cent.

"Lease expense" means lease payments in the case of an operating lease and depreciation expense and interest expense in the case of a capital lease.

"New lease" means a lease, to a different lessee, of a nursing facility that previously was operated under a lease.

(1) Subject to division (A) of this section, for a lease of a facility that was effective on May 27, 1992, the entire lease expense is an actual, allowable capital cost during the term of the existing lease. The entire lease expense also is an actual, allowable capital cost if a lease in existence on May 27, 1992, is renewed under either of the following circumstances:

(a) The renewal is pursuant to a renewal option that was in existence on May 27, 1992;

(b) The renewal is for the same lease payment amount and between the same parties as the lease in existence on May 27, 1992.

(2) Subject to division (A) of this section, for a lease of a facility that was in existence but not operated under a lease on May 27, 1992, actual, allowable capital costs shall include the lesser of the annual lease expense or the annual depreciation expense and imputed interest expense that would be calculated at the inception of the lease using the lessor's entire historical capital asset cost basis, adjusted by one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, during the time the lessor held each asset until the beginning of the lease.

(3) Subject to division (A) of this section, for a lease of a facility with a date of licensure on or after May 27, 1992, that is initially operated under a lease, actual, allowable capital costs shall include the annual lease expense if there was a substantial commitment of money for construction of the facility



after December 22, 1992, and before July 1, 1993. If there was not a substantial commitment of money after December 22, 1992, and before July 1, 1993, actual, allowable capital costs shall include the lesser of the annual lease expense or the sum of the following:

(a) The annual depreciation expense that would be calculated at the inception of the lease using the lessor's entire historical capital asset cost basis;

(b) The greater of the lessor's actual annual amortization of financing costs and interest expense at the inception of the lease or the imputed interest expense calculated at the inception of the lease using seventy per cent of the lessor's historical capital asset cost basis.

(4) Subject to division (A) of this section, for a lease of a facility with a date of licensure on or after May 27, 1992, that was not initially operated under a lease and has been in existence for ten years, actual, allowable capital costs shall include the lesser of the annual lease expense or the annual depreciation expense and imputed interest expense that would be calculated at the inception of the lease using the entire historical capital asset cost basis of one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, during the time the lessor held each asset until the beginning of the lease.

(5) Subject to division (A) of this section, for a new lease of a facility that was operated under a lease on May 27, 1992, actual, allowable capital costs shall include the lesser of the annual new lease expense or the annual old lease payment. If the old lease was in effect for ten years or longer, the old lease payment from the beginning of the old lease shall be adjusted by one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, from the beginning of the old lease to the beginning of the new lease.

(6) Subject to division (A) of this section, for a new lease of a facility that was not in existence or that was in existence but not operated under a lease on May 27, 1992, actual, allowable capital costs shall include the lesser of annual new lease expense or the annual amount calculated for the old lease under division (F)(2), (3), (4), or (6) of this section, as applicable. If the old lease was in effect for ten years or longer, the lessor's historical capital asset cost basis shall be, for purposes of calculating the annual amount under division (F)(2), (3), (4), or (6) of this section, adjusted by one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, from the beginning of the old lease to the beginning of the new lease.

In the case of a lease under division (F)(3) of this section of a facility for which a substantial commitment of money was made after December 22,

1992, and before July 1, 1993, the old lease payment shall be adjusted for the purpose of determining the annual amount.

(7) For any revision of a lease described in division (F)(1), (2), (3), (4), (5), or (6) of this section, or for any subsequent lease of a facility operated under such a lease, other than execution of a new lease, the portion of actual, allowable capital costs attributable to the lease shall be the same as before the revision or subsequent lease.

(8) Except as provided in division (F)(9) of this section, if a provider leases an interest in a facility to another provider who is a related party or previously operated the facility, the related party's or previous operator's actual, allowable capital costs shall include the lesser of the annual lease expense or the reasonable cost to the lessor.

(9) If a provider leases an interest in a facility to another provider who is a related party, regardless of the date of the lease, the related party's actual, allowable capital costs shall include the annual lease expense, subject to the limitations specified in divisions (F)(1) to (7) of this section, if all of the following conditions are met:

(a) The related party is a relative of owner;

(b) If the lessor retains an ownership interest, it is, except as provided in division (F)(9)(c)(ii) of this section, in only the real property and any improvements on the real property;

(c) The department determines that the lease is an arm's length transaction pursuant to rules adopted under section 5165.02 of the Revised Code. The rules shall provide that a lease is an arm's length transaction if all of the following apply:

(i) Once the lease goes into effect, the lessor has no direct or indirect interest in the lessee or, except as provided in division (F)(9)(b) of this section, the facility itself, including interest as an owner, officer, director, employee, independent contractor, or consultant, but excluding interest as a lessor.

(ii) The lessor does not reacquire an interest in the facility except through the exercise of a lessor's rights in the event of a default. If the lessor reacquires an interest in the facility in this manner, the department shall treat the facility as if the lease never occurred when the department calculates its reimbursement rates for capital costs.

(iii) The lease satisfies any other criteria specified in the rules.

(d) Except in the case of hardship caused by a catastrophic event, as determined by the department, or in the case of a lessor who is at least sixty-five years of age, not less than twenty years have elapsed since, for the same

facility, the capital cost basis was adjusted most recently under division (E)(4) of this section or actual, allowable capital costs were determined most recently under division (F)(9) of this section.

(10) This division does not apply to leases of specific items of equipment.

**Sec. 5165.19.** (A) Semiannually, the department of medicaid shall determine each nursing facility's per medicaid day payment rate for direct care costs by multiplying the facility's semiannual case-mix score determined under section 5165.192 of the Revised Code by the cost per case-mix unit determined under division (C) of this section for the facility's peer group.

(B) For the purpose of determining nursing facilities' rates for direct care costs, the department shall establish three peer groups.

(1) Each nursing facility located in any of the following counties shall be placed in peer group one: Brown, Butler, Clermont, Clinton, Hamilton, and Warren.

(2) Each nursing facility located in any of the following counties shall be placed in peer group two: Allen, Ashtabula, Champaign, Clark, Cuyahoga, Darke, Delaware, Fairfield, Fayette, Franklin, Fulton, Geauga, Greene, Hancock, Knox, Lake, Licking, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Miami, Montgomery, Morrow, Ottawa, Pickaway, Portage, Preble, Ross, Sandusky, Seneca, Stark, Summit, Trumbull, Union, and Wood.

(3) Each nursing facility located in any of the following counties shall be placed in peer group three: Adams, Ashland, Athens, Auglaize, Belmont, Carroll, Columbiana, Coshocton, Crawford, Defiance, Erie, Gallia, Guernsey, Hardin, Harrison, Henry, Highland, Hocking, Holmes, Huron, Jackson, Jefferson, Lawrence, Logan, Meigs, Mercer, Monroe, Morgan, Muskingum, Noble, Paulding, Perry, Pike, Putnam, Richland, Scioto, Shelby, Tuscarawas, Van Wert, Vinton, Washington, Wayne, Williams, and Wyandot.

(C)(1) The department shall determine a cost per case-mix unit for each peer group established under division (B) of this section. The cost per case-mix unit determined under this division for a peer group shall be used for subsequent years until the department conducts a rebasing. To determine a peer group's cost per case-mix unit, the department shall do all of the following:

(a) Determine the cost per case-mix unit for each nursing facility in the peer group for the applicable calendar year by dividing each facility's desk-reviewed, actual, allowable, per diem direct care costs for the applicable calendar year by the facility's annual average case-mix score determined under section 5165.192 of the Revised Code for the applicable calendar year;

(b) Subject to division (C)(2) of this section, identify which nursing facility

in the peer group is at the twenty-fifth percentile of the cost per case-mix units determined under division (C)(1)(a) of this section;

(c) Calculate the amount that is two per cent above the cost per case-mix unit determined under division (C)(1)(a) of this section for the nursing facility identified under division (C)(1)(b) of this section;

(d) Using the index specified in division (C)(3) of this section, multiply the rate of inflation for the eighteen-month period beginning on the first day of July of the applicable calendar year and ending the last day of December of the calendar year immediately following the applicable calendar year by the amount calculated under division (C)(1)(c) of this section;

~~(e) For state fiscal year 2020 and each state fiscal year thereafter (other than the first state fiscal year in a group of consecutive state fiscal years for which a rebasing is conducted), adjust the amount calculated under division (C)(1)(d) of this section using the difference between the following:~~

~~(i) The medicare skilled nursing facility market basket index determined for the federal fiscal year that begins during the state fiscal year immediately preceding the state fiscal year for which the adjustment is being made under division (C)(1)(e) of this section;~~

~~(ii) The budget reduction adjustment factor for the state fiscal year for which the adjustment is being made under division (C)(1)(e) of this section.~~

(2) In making the identification under division (C)(1)(b) of this section, the department shall exclude both of the following:

(a) Nursing facilities that participated in the medicaid program under the same provider for less than twelve months in the applicable calendar year;

(b) Nursing facilities whose cost per case-mix unit is more than one standard deviation from the mean cost per case-mix unit for all nursing facilities in the nursing facility's peer group for the applicable calendar year.

(3) The following index shall be used for the purpose of the calculation made under division (C)(1)(d) of this section:

(a) Except as provided in division (C)(3)(b) of this section, the employment cost index for total compensation, nursing and residential care facilities occupational group, published by the United States bureau of labor statistics;

(b) If the United States bureau of labor statistics ceases to publish the index specified in division (C)(3)(a) of this section, the index the bureau subsequently publishes that covers nursing facilities' staff costs.

(4) The department shall not redetermine a peer group's cost per case-mix unit under this division based on additional information that it receives after the peer group's per case-mix unit is determined. The department shall

redetermine a peer group's cost per case-mix unit only if it made an error in determining the peer group's cost per case-mix unit based on information available to the department at the time of the original determination.

**Sec. 5165.26.** (A) As used in this section:

(1) "Base rate" means the portion of a nursing facility's total per medicaid day payment rate determined under divisions (A) and (B) of section 5165.15 of the Revised Code.

(2) "CMS" means the United States centers for medicare and medicaid services.

(3) "Force majeure event" means an uncontrollable force or natural disaster not within the power of a nursing facility's operator.

(4) "Long-stay resident" and "measurement period" have has the same meanings meaning as in section 5165.25 of the Revised Code.

(5) "Nursing facilities for which a quality score was determined" includes nursing facilities that are determined to have a quality score of zero.

(B) ~~For the second half of state fiscal year 2020 and all of each state fiscal year thereafter~~2021, and subject to divisions (D) ~~and (E), and (F)~~ of this section, the department of medicaid shall determine each nursing facility's per medicaid day quality incentive payment rate as follows:

(1) Determine the sum of the quality scores determined under division (C) of this section for all nursing facilities.

(2) Determine the average quality score by dividing the sum determined under division (B)(1) of this section by the number of nursing facilities for which a quality score was determined.

(3) ~~Determine the following:-~~

~~(a) For the second half of state fiscal year 2020, the sum of the total number of medicaid days for the second half of calendar year 2018 for all nursing facilities for which a quality score was determined;-~~

~~(b) For all of state fiscal year 2021 and each state fiscal year thereafter, determine the sum of the total number of medicaid days for the measurement period applicable to the state fiscal year~~ all of calendar year 2019 for all nursing facilities for which a quality score was determined.

(4) Multiply the average quality score determined under division (B)(2) of this section by the sum determined under division (B)(3) of this section.

(5) Determine the value per quality point by determining the quotient of the following:

(a) ~~The following:-~~

~~(i) For the second half of state fiscal year 2020, the sum determined under division (E)(1)(b) of this section;-~~

~~(ii) For all of state fiscal year 2021 and each state fiscal year thereafter, the sum determined under division (E)(2)(b) (F)(2) of this section.~~

(b) The product determined under division (B)(4) of this section.

(6) Multiply the value per quality point determined under division (B)(5) of this section by the nursing facility's quality score determined under division (C) of this section.

(C)(1) Except as provided in divisions (C)(2) and (3) of this section, a nursing facility's quality score for a state fiscal year 2021 shall be the sum of the total number of points that CMS assigned to the nursing facility under CMS's nursing facility five-star quality rating system for the following quality metrics based on the most recent four-quarter average data available in the database maintained by the United States centers for medicare and medicaid services and known as nursing home compare in May of 2020:

(a) The percentage of the nursing facility's long-stay residents at high risk for pressure ulcers who had pressure ulcers ~~during the measurement period;~~

(b) The percentage of the nursing facility's long-stay residents who had a urinary tract infection ~~during the measurement period;~~

(c) The percentage of the nursing facility's long-stay residents whose ability to move independently worsened ~~during the measurement period;~~

(d) The percentage of the nursing facility's long-stay residents who had a catheter inserted and left in their bladder ~~during the measurement period.~~

(2) In determining a nursing facility's quality score for a state fiscal year 2021, the department shall make the following adjustment to the number of points that CMS assigned to the nursing facility for each of the quality metrics specified in division (C)(1) of this section:

(a) Unless division (C)(2)(b) of this section applies, divide the number of the nursing facility's points for the quality metric by twenty.

(b) If CMS assigned the nursing facility to the lowest percentile for the quality metric, reduce the number of the nursing facility's points for the quality metric to zero.

(3) A nursing facility's quality score shall be zero for a state fiscal year 2021 if it is not to receive a quality incentive payment for that state fiscal year because of division (D) of this section.

(D)(1) Except as provided in division (D)(2) of this section, a nursing

facility shall not receive a quality incentive payment for a state fiscal year, ~~other than the second half of state fiscal year 2020, 2021~~ if the nursing facility's licensed occupancy percentage is less than eighty per cent.

(2) Division (D)(1) of this section does not apply to a nursing facility ~~for a state fiscal year if either any~~ of the following apply:

(a) The nursing facility has a quality score under division (C) of this section for ~~the state fiscal year 2021~~ of at least fifteen points;

(b) The nursing facility was initially certified for participation in the medicaid program on or after January 1, 2019;

(c) Subject to division (D)(4) of this section, one or more of the beds that are part of the nursing facility's licensed capacity could not be used for resident care during calendar year 2019 due to causes beyond the reasonable control of the nursing facility's operator, including a force majeure event;

(d) Subject to division (D)(5) of this section, the nursing facility underwent a renovation during the period beginning January 1, 2018, and ending January 1, 2020, to which both of the following apply:

(i) The renovation involved capital expenditures of at least fifty thousand dollars, excluding expenditures for equipment, staffing, or operational costs.

(ii) The renovation directly impacted the area of the nursing facility in which the beds that are part of the nursing facility's licensed capacity are located.

(3) A nursing facility's licensed occupancy percentage for ~~a state fiscal year~~ the purpose of division (D)(1) of this section shall be determined as follows:

(a) ~~Multiply the~~ Determine the product of the following:

(i) The nursing facility's licensed capacity on the last day of the measurement period applicable to the state fiscal year by the number of days in that measurement period; as of December 31, 2019, as identified on the nursing facility's cost report filed with the department pursuant to section 5165.10 of the Revised Code;

(ii) Three hundred sixty-five.

(b) ~~Divide the~~ Determine the quotient of the following:

(i) The total number of the nursing facility's inpatient days for the measurement period applicable to the state fiscal year by the calendar year 2019, as identified on the nursing facility's cost report filed with the department pursuant to section 5165.10 of the Revised Code;

(ii) The product determined under division (D)(3)(a) of this section.

(c) Multiply the quotient determined under division (D)(3)(b) of this section by one hundred.

(4) For a nursing facility to be exempt from division (D)(1) of this section on account of division (D)(2)(c) of this section, the nursing facility's operator must provide to the department written documentation of the number of days during calendar year 2019 that one or more of the beds that are part of the nursing facility's licensed capacity could not be used and the specific reason why they could not be used.

(5) For a nursing facility to be exempt from division (D)(1) of this section on account of division (D)(2)(d) of this section, the nursing facility's operator must provide to the department written documentation that confirms the renovation and capital expenditures.

(E) A nursing facility shall not receive a quality incentive payment for state fiscal year 2021 if either of the following apply:

(1) The nursing facility's initial total per medicaid day payment rate for calendar year 2019 or state fiscal year 2021 is determined pursuant to section 5165.151 of the Revised Code.

(2) The nursing facility undergoes a change of operator during calendar year 2019 or state fiscal year 2021.

(F) The total amount to be spent on quality incentive payments for a state fiscal year 2021 shall be the following determined as follows:

(1) For the second half of state fiscal year 2020, the amount determined as follows:-

(a) Determine the following amount for each nursing facility, including those that do not receive a quality incentive payment because of division (D) of this section:-

(i) The amount that is two and four-tenths per cent of the nursing facility's base rate for nursing facility services provided on January 1, 2020;-

(ii) Multiply the amount determined under division (E)(1)(a)(i) of this section by the number of the nursing facility's medicaid days for the second half of calendar year 2018.-

(b) Determine the sum of the products determined under division (E)(1)(a)(ii) of this section for all nursing facilities for which the product was determined for the second half of state fiscal year 2020.-

(2) For all of state fiscal year 2021 and each state fiscal year thereafter, the amount determined as follows:-

(a) (1) Determine the following amount for each nursing facility, including



those that do not receive a quality incentive payment because of division (D) of this section:

~~(i)-(a)~~ The amount that is ~~two-five~~ and ~~four-tenths~~ ~~two-tenths~~ per cent of the nursing facility's base rate for nursing facility services provided on the first day of the state fiscal year;

~~(ii)-(b)~~ Multiply the amount determined under division (E)(2)(a)(i)-(F)(1)(a) of this section by the number of the nursing facility's medicaid days for ~~the measurement period applicable to the state fiscal year~~ calendar year 2019.

~~(b)-(2)~~ Determine the sum of the products determined under division ~~(E)(2)(a)-(F)(1)(b)~~ of this section for all nursing facilities for which the product was determined for the state fiscal year.

**Sec. 5166.01.** As used in this chapter:

"209(b) option" means the option described in section 1902(f) of the "Social Security Act," 42 U.S.C. 1396a(f), under which the medicaid program's eligibility requirements for aged, blind, and disabled individuals are more restrictive than the eligibility requirements for the supplemental security income program.

"Administrative agency" means, with respect to a home and community-based services medicaid waiver component, the department of medicaid or, if a state agency or political subdivision contracts with the department under section 5162.35 of the Revised Code to administer the component, that state agency or political subdivision.

"Care management system" has the same meaning as in section 5167.01 of the Revised Code.

"Dual eligible individual" has the same meaning as in section 5160.01 of the Revised Code.

"Enrollee" has the same meaning as in section 5167.01 of the Revised Code.

"Expansion eligibility group" has the same meaning as in section 5163.01 of the Revised Code.

"Federal poverty line" has the same meaning as in section 5162.01 of the Revised Code.

"Home and community-based services medicaid waiver component" means a medicaid waiver component under which home and community-based services are provided as an alternative to hospital services, nursing facility services, or ICF/IID services.

"Hospital" has the same meaning as in section 3727.01 of the Revised

Code.

"Hospital long-term care unit" has the same meaning as in section 5168.40 of the Revised Code.

"ICDS participant" has the same meaning as in section 5164.01 of the Revised Code.

"ICF/IID" and "ICF/IID services" have the same meanings as in section 5124.01 of the Revised Code.

"Integrated care delivery system" and "ICDS" have the same meanings as in section 5164.01 of the Revised Code.

"Level of care determination" means a determination of whether an individual needs the level of care provided by a hospital, nursing facility, or ICF/IID and whether the individual, if determined to need that level of care, would receive hospital services, nursing facility services, or ICF/IID services if not for a home and community-based services medicaid waiver component.

"Medicaid buy-in for workers with disabilities program" has the same meaning as in section 5163.01 of the Revised Code.

"Medicaid MCO plan" has the same meaning as in section 5167.01 of the Revised Code.

"Medicaid provider" has the same meaning as in section 5164.01 of the Revised Code.

"Medicaid services" has the same meaning as in section 5164.01 of the Revised Code.

"Medicaid waiver component" means a component of the medicaid program authorized by a waiver granted by the United States department of health and human services under the "Social Security Act," section 1115 or 1915, 42 U.S.C. 1315 or 1396n. "Medicaid waiver component" does not include the care management system.

"Medically fragile child" means an individual who is under eighteen years of age, has intensive health care needs, and is considered blind or disabled under section 1614(a)(2) or (3) of the "Social Security Act," 42 U.S.C. 1382c(a)(2) or (3).

~~"Medicare skilled nursing facility market basket index" has the same meaning as in section 5165.01 of the Revised Code.~~

"Nursing facility" and "nursing facility services" have the same meanings as in section 5165.01 of the Revised Code.

"Ohio home care waiver program" means the home and community-based services medicaid waiver component that is known as Ohio home care and

was created pursuant to section 5166.11 of the Revised Code.

"Provider agreement" has the same meaning as in section 5164.01 of the Revised Code.

"Residential treatment facility" means a residential facility licensed by the department of mental health and addiction services under section 5119.34 of the Revised Code, or an institution certified by the department of job and family services under section 5103.03 of the Revised Code, that serves children and either has more than sixteen beds or is part of a campus of multiple facilities or institutions that, combined, have a total of more than sixteen beds.

"Skilled nursing facility" has the same meaning as in section 5165.01 of the Revised Code.

"Unified long-term services and support medicaid waiver component" means the medicaid waiver component authorized by section 5166.14 of the Revised Code.

**Section 30.** That existing sections 124.393, 5165.01, 5165.15, 5165.16, 5165.17, 5165.19, 5165.26, and 5166.01 of the Revised Code are hereby repealed.

**Section 31.** That section 5165.361 of the Revised Code is hereby repealed.

**Section 32.** That Section 333.270 of H.B. 166 of the 133rd General Assembly is hereby repealed.

**Section 33.** All of the following apply to the Medicaid payment rates for nursing facility services provided on and after the effective date of this section and not to the Medicaid payment rates for those services provided before that date:

(A) The amendments by this act to sections 5165.01, 5165.16, 5165.17, 5165.19, and 5165.26 of the Revised Code;

(B) The repeal by this act of section 5165.361 of the Revised Code;

(C) The repeal by this act of Section 333.270 of Am. Sub. H.B. 166 of the 133rd General Assembly.

**Section 34.** That Section 333.10 of H.B. 166 of the 133rd General Assembly be amended to read as follows:

**Sec. 333.10.**

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A

MCD DEPARTMENT OF MEDICAID

B	General Revenue Fund				
C	GRF	651425	Medicaid Program Support - State	\$ 164,132,342	\$ 170,223,643
D	GRF	651426	Positive Education Program Connections	\$ 2,500,000	\$ 2,500,000
E	GRF	651525	Medicaid Health Care Services		
F			State	\$ 4,153,141,174	\$ 4,733,728,704
					<u>4,734,928,704</u>
G			Federal	\$ 9,959,196,340	\$ 11,152,542,781
					<u>11,154,542,781</u>
H			Medicaid Health Care Services Total	\$ 14,112,337,514	\$ 15,886,271,485
					<u>15,889,471,485</u>
I	GRF	651526	Medicare Part D	\$ 490,402,102	\$ 533,290,526
J	GRF	651529	Brigid's Path Pilot	\$ 500,000	\$ 500,000
K	GRF	651533	Food Farmacy Pilot Project	\$ 250,000	\$ 250,000
L	TOTAL GRF General Revenue Fund				
M			State	\$ 4,810,925,618	\$ 5,440,492,873
					<u>5,441,692,873</u>
N			Federal	\$ 9,959,196,340	\$ 11,152,542,781
					<u>11,154,542,781</u>
O			GRF Total	\$ 14,770,121,958	\$ 16,593,035,654
					<u>16,596,235,654</u>
P	Dedicated Purpose Fund Group				
Q	4E30	651605	Resident Protection Fund	\$ 3,910,338	\$ 4,013,000
R	5AN0	651686	Care Innovation	\$ 53,435,797	\$ 53,406,291

		and Community Improvement Program		
S	5DL0	651639 Medicaid Services - Recoveries	\$ 741,454,299	\$ 781,970,233
T	5DL0	651685 Medicaid Recoveries – Program Support	\$ 40,351,245	\$ 44,375,000
U	5DL0	651690 Multi-system Youth Custody Relinquishment	\$ 6,000,000	\$ 12,000,000
V	5FX0	651638 Medicaid Services - Payment Withholding	\$ 12,000,000	\$ 12,000,000
W	5GF0	651656 Medicaid Services - Hospital Upper Payment Limit	\$ 822,016,219	\$ 887,150,856
X	5R20	651608 Medicaid Services - Long Term	\$ 420,154,000	\$ 425,554,000
Y	5SC0	651683 Medicaid Services – Physician UPL	\$ 7,520,000	\$ 7,645,000
Z	5TN0	651684 Medicaid Services - HIC Fee	\$ 834,564,060	\$ 806,187,400
AA	6510	651649 Medicaid Services - Hospital Care Assurance Program	\$ 249,167,065	\$ 168,310,123
AB	TOTAL DPF Dedicated Purpose Fund Group		\$ <del>3,205,573,023</del> <u>3,190,573,023</u>	\$ <del>3,232,611,903</del> <u>3,202,611,903</u>
AC	Holding Account Fund Group			
AD	R055	651644 Refunds and Reconciliation	\$ 1,000,000	\$ 1,000,000
AE	TOTAL HLD Holding Account Fund Group		\$ 1,000,000	\$ 1,000,000
AF	Federal Fund Group			

AG	3ER0	651603	Medicaid and Health Transformation Technology	\$ 48,031,056	\$ 48,340,000
AH	3F00	651623	Medicaid Services - Federal	\$ 6,563,381,020	\$ 6,596,507,934
AI	3F00	651624	Medicaid Program Support - Federal	\$ 516,667,497	\$ 527,369,363
AJ	3FA0	\$	Health Care Grants - Federal	\$ 11,988,670	\$ 12,000,000
AK	3G50	651655	Medicaid Interagency Pass Through	\$ 225,701,597	\$ 225,701,597
AL	TOTAL FED		Federal Fund Group	\$ 7,365,769,840	\$ 7,409,918,894
AM	TOTAL ALL BUDGET FUND GROUPS			\$ 25,342,464,821 <u>25,327,464,821</u>	\$ 27,236,566,451 <u>27,209,766,451</u>

**Section 35.** That existing Section 333.10 of H.B. 166 of the 133rd General Assembly is hereby repealed.

**Section 36.** Notwithstanding any provision of Chapter 5751. of the Revised Code to the contrary, "gross receipts," as defined in section 5751.01 of the Revised Code, excludes receipts from any forgiven indebtedness that is excluded from the gross income of the taxpayer for federal income tax purposes pursuant to section 1106(i) of the "Coronavirus Aid, Relief, and Economic Security (CARES) Act," 15 U.S.C. 9005(i).

**Section 37.** (A) As used in this section, "state employee" means any employee paid directly by warrant of the Director of Budget and Management who is not subject to a collective bargaining agreement entered into between a public employer and an employee organization in accordance with Chapter 4117. of the Revised Code.

(B) Notwithstanding any provision of section 124.152, 124.181, or 3901.07 of the Revised Code, or any other provision of the Revised Code to the contrary, and except as provided in division (C) of this section, during the pay period that includes July 1, 2020, through the pay period that includes June 30, 2021, if the Director of Budget and Management determines it to be

necessary due to anticipated revenue shortfalls, the Director of Budget and Management may request the Director of Administrative Services to order that both of the following apply beginning on the date the Director of

Administrative Services issues the order until the end of the pay period specified by the Director of Administrative Services or the end of the pay period that includes July 1, 2021 whichever is earlier:

(1) A state employee shall not receive an increase in the employee's pay rate, including any step increase or pay supplement, while the employee is serving in the same position the employee was serving in on or before the effective date of this section.

(2) A state employee who is hired, who changes positions, or whose position is reclassified on or after the effective date of this section shall be paid at the rate that applies to the position's classification during the pay period that includes June 7, 2020, and the employee shall not receive any increases in the employee's pay rate, including any step increases or pay supplements.

(C) Division (B) of this section does not do any of the following:

(1) Apply to a special hazard salary adjustment related to COVID-19 submitted to the Director of Administrative Services in accordance with division (F) of section 124.181 of the Revised Code;

(2) Limit the Governor's authority under section 126.05 of the Revised Code to issue necessary orders to the Director of Administrative Services to implement personnel actions;

(3) Subject to division (D) of this section, apply to any of the following employees:

(a) An employee of either house of the General Assembly or an employee of a legislative agency;

(b) An employee of the Supreme Court;

(c) An employee of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General.

(D) The Secretary of State, Auditor of State, Treasurer of State, or Attorney General may elect to apply divisions (B)(1) and (2) to state employees employed by the Secretary of State, Auditor of State, Treasurer of State, or Attorney General. If the Secretary of State, Auditor of State, Treasurer of State, or Attorney General so elects, the Secretary of State, Auditor of State, Treasurer of State, or Attorney General shall notify the Director of Administrative Services of the election in writing.

**Section 201.10.** Except as otherwise provided in this act, all appropriation

items in this act are appropriated out of any moneys in the state treasury to the credit of the designated fund that are not otherwise appropriated.

**Section 203.10. ADJ ADJUTANT GENERAL**

	1	2	3
A			Reappropriations
B	Army National Guard Service Contract Fund (Fund 3420)		
C	C74537 Renovation Projects - Federal Share		\$ 4,000,000
D	TOTAL Army National Guard Service Contract Fund		\$ 4,000,000
E	Air National Guard Federal Construction Fund (Fund 3HJ0)		
F	C74545 Mansfield Taxiway Federal		\$ 1,151,550
G	TOTAL Air National Guard Federal Construction Fund		\$ 1,151,550
H	Ohio Military Facilities Fund (Fund 5RV0)		
I	C74547 Mansfield Taxiway OMFC		\$ 2,051,550
J	TOTAL Ohio Military Facilities Fund		\$ 2,051,550
K	Administrative Building Fund (Fund 7026)		
L	C74535 Renovations and Improvements		\$ 2,200,000
M	C74541 Armory Technology Infrastructure		\$ 90,000
N	C74555 Rickenbacker Runway Project		\$ 139,000
O	TOTAL Administrative Building Fund		\$ 2,429,000
P	TOTAL ALL FUNDS		\$ 9,632,100

**RICKENBACKER RUNWAY PROJECT**

The amount reappropriated for the foregoing appropriation item C74555, Rickenbacker Runway Project, is the unencumbered balance as of June 30, 2020, in appropriation item C74555, Rickenbacker Runway Project, plus the unencumbered balance as of June 30, 2020, in appropriation item C23065, Rickenbacker Boyhood Home.

**Section 205.10. AGO ATTORNEY GENERAL**



	1	2	3
A			Reappropriations
B	Administrative Building Fund (Fund 7026)		
C	C05502	Bowling Green Facility	\$ 300,000
D	C05515	Data Center Renovations	\$ 895,020
E	C05517	General Building Renovations	\$ 280,558
F	C05521	BCI London Renovations	\$ 849,638
G	C05523	Security Improvements	\$ 92,950
H	C05525	Richfield HVAC	\$ 2,354,393
I	TOTAL Administrative Building Fund		\$ 4,772,559
J	TOTAL ALL FUNDS		\$ 4,772,559

**Section 207.10. DEPARTMENT OF HIGHER EDUCATION AND STATE INSTITUTIONS OF HIGHER EDUCATION**

	1	2	3
A			Reappropriations
B	BOR DEPARTMENT OF HIGHER EDUCATION		
C	Higher Education Improvement Fund (Fund 7034)		
D	C23501	Ohio Supercomputer Center	\$ 1,972,217
E	C23502	Research Facility Action and Investment Funds	\$ 5,179,992
F	C23506	Third Frontier Project	\$ 635,579
G	C23529	Workforce Based Training and Equipment	\$ 2,000,000
H	C23530	Technology Initiatives	\$ 1,734,732
I	C23532	OARnet	\$ 6,728,650
J	C23551	Ohio Innovation Exchange	\$ 400,000
K	C23560	HEI Critical Maintenance and Upgrades	\$ 4,183,900
L	C23563	Ohio Cyber Range	\$ 2,461,227

M	C23564 Ohio Aerospace Institute Improvements	\$ 150,000
N	TOTAL Higher Education Improvement Fund	\$ 25,446,297
O	TOTAL ALL FUNDS	\$ 25,446,297

### RESEARCH FACILITY ACTION AND INVESTMENT FUNDS

Capital reappropriations in this act made from appropriation item C23502, Research Facility Action and Investment Funds, shall be used for a program of grants to be administered by the Department of Higher Education to provide timely availability of capital facilities for research programs and research-oriented instructional programs at or involving state-supported and state-assisted institutions of higher education.

#### THIRD FRONTIER PROJECT

The foregoing appropriation item C23506, Third Frontier Project, shall be used to acquire, renovate, or construct facilities and purchase equipment for research programs, technology development, product development, and commercialization programs at, or involving, state-supported and state-assisted institutions of higher education. The funds shall be used to make grants awarded on a competitive basis, and shall be administered by the Third Frontier Commission. Expenditure of these funds shall comply with Section 2n of Article VIII, Ohio Constitution, and sections 151.01 and 151.04 of the Revised Code for the period beginning July 1, 2020, and ending June 30, 2022.

The Third Frontier Commission shall develop guidelines relative to the application for and selection of projects funded from appropriation item C23506, Third Frontier Project. The Commission may develop these guidelines in consultation with other interested parties. The Department of Higher Education and all state-assisted and state-supported institutions of higher education shall take all actions necessary to implement grants awarded by the Third Frontier Commission.

#### WORKFORCE BASED TRAINING AND EQUIPMENT

(A) Capital reappropriations in this act made from appropriation item C23529, Workforce Based Training and Equipment, shall be used to support the Regionally Aligned Priorities in Developing Skills (RAPIDS) program in the Department of Higher Education. The purpose of the RAPIDS program is to support collaborative projects among higher education institutions to strengthen education and training opportunities that maximize workforce development efforts in defined areas of the state.

(B) Capital funds reappropriated for this purpose by the General Assembly

shall be distributed by the Chancellor of Higher Education to Ohio regions or subsets of regions. Regions or subsets of regions may be defined by the state's economic development strategy.

(C) The Chancellor shall award capital funds within the program using an application and review process, as developed by the Chancellor. In reviewing applications and making awards, priority shall be given to proposals that demonstrate:

(1) Collaboration among and between state institutions of higher education, as defined in section 3345.011 of the Revised Code, Ohio Technical Centers, and other entities as determined to be appropriate by the Chancellor;

(2) Evidence of meaningful business support and engagement;

(3) Identification of targeted occupations and industries supported by data, which sources may include the Governor's Office of Workforce Transformation, OhioMeansJobs, labor market information from the Department of Job and Family Services, and lists of in-demand occupations;

(4) Sustainability beyond the grant period with the opportunity to provide continued value and impact to the region.

(D) In submitting proposals for consideration under the program, a state institution of higher education, as defined in section 3345.011 of the Revised Code, shall be the lead applicant and preference shall be given to proposals in which equipment and technology acquired by capital funds awarded under the program are owned by a state institution of higher education. If equipment, technology, or facilities acquired by capital funds awarded under the program will be owned by a separate governmental or nonprofit entity, the state institution of higher education shall enter into a joint use agreement with the entity, which shall be approved by the Chancellor.

**Section 207.12. BTC BELMONT TECHNICAL COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C36800	Basic Renovations	\$ 644,054
D	C36806	Workforce Based Training and Equipment	\$ 345,266
E	C36809	Industrial Trades Center	\$ 195,561
F	TOTAL Higher Education Improvement Fund		\$ 1,184,881

G TOTAL ALL FUNDS \$ 1,184,881

**Section 207.14. BGU BOWLING GREEN STATE UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C24000 Basic Renovations		\$ 66,662
D	C24001 Basic Renovations - Firelands		\$ 390,068
E	C24035 Library Depository Northwest		\$ 464,726
F	C24037 Academic Buildings Rehabilitation		\$ 5,366,879
G	C24042 Water Quality Lab Equipment		\$ 1,805
H	C24048 K-12/Higher Education Technology Enhancement Initiative		\$ 10,059
I	C24059 Technology Building Renovation		\$ 2,000,000
J	C24062 Cedar Fair Hospitality Program		\$ 800,000
K	TOTAL Higher Education Improvement Fund		\$ 9,100,199
L	TOTAL ALL FUNDS		\$ 9,100,199

**ACADEMIC BUILDINGS REHABILITATION**

The amount reappropriated for the foregoing appropriation item C24037, Academic Buildings Rehabilitation, is the unencumbered balance as of June 30, 2020, in appropriation item C24037, Academic Buildings Rehabilitation, plus \$10,501, plus the unencumbered balance as of June 30, 2020, in appropriation item C24046, Moseley Hall Science Labs. Prior to the expenditure of this appropriation, the Bowling Green State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,501.

**K-12/HIGHER EDUCATION TECHNOLOGY ENHANCEMENT INITIATIVE**

The amount reappropriated for the foregoing appropriation item C24048, K-12/Higher Education Technology Enhancement Initiative, is the

unencumbered balance as of June 30, 2020, in appropriation item C24048, K-12/Higher Education Technology Enhancement Initiative, plus \$28,260. Prior to the expenditure of this appropriation, the Bowling Green State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$28,260.

**Section 207.16. COT CENTRAL OHIO TECHNICAL COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C36920	COTC Pataskala Campus Renovation Planning/Design	\$ 2,874,973
D	TOTAL Higher Education Improvement Fund		\$ 2,874,973
E	TOTAL ALL FUNDS		\$ 2,874,973

**Section 207.18. CSU CENTRAL STATE UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C25515	Information Technology Network and Infrastructure	\$ 6,775
D	C25516	Campus-wide Chillers and HVAC Replacements	\$ 30,167
E	C25517	Brown Library Modernization Phase 2	\$ 3,636
F	C25518	Security and Lighting	\$ 138,157
G	C25520	Campus Security Update	\$ 100,000
H	C25521	Classroom Technology Upgrades	\$ 1,032,500
I	C25522	ADA Upgrades	\$ 4,508
J	C25523	HVAC and Chiller Renewal	\$ 11,163
K	C25524	Historic YWCA Dayton Building Renovation	\$ 725,000

L	TOTAL Higher Education Improvement Fund	\$ 2,051,906
M	TOTAL ALL FUNDS	\$ 2,051,906

HVAC AND CHILLER RENEWAL

The amount reappropriated for the foregoing appropriation item C25523, HVAC and Chiller Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C25523, HVAC and Chiller Renewal, plus the unencumbered balance as of June 30, 2020, in appropriation items C25510, Central State University Center, and C25513, Direct Metal Sintering (3-D) Manufacturing Initiative.

**Section 207.20. CTC CINCINNATI STATE COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C36101	Basic Renovations	\$ 9,420
D	C36124	STEM Laboratory Renovations	\$ 16,606
E	C36127	Center for Workforce Innovation and Education	\$ 1,098,187
F	C36128	Mt. Healthy Facility	\$ 13,500
G	C36134	Workforce Based Training and Equipment	\$ 70,493
H	C36135	Student Completion and Career Services One-Stop Center	\$ 787,944
I	C36136	Energy Efficiency and Savings Projects	\$ 253,714
J	C36137	Greater Cincinnati Manufacturing Careers Accelerator Additive Design and Materials Testing Innovations	\$ 981,300
K	C36139	Hamilton County Agricultural Facility Improvements	\$ 50,000
L	C36140	Main Building Renovations	\$ 4,177,010
M	C36141	IT System Upgrades	\$ 2,056,751
N	C36142	Mercy Health Dental Residency	\$ 500,000

Operation Rooms

O	TOTAL Higher Education Improvement Fund	\$ 10,014,925
P	TOTAL ALL FUNDS	\$ 10,014,925

**Section 207.22. CLT CLARK STATE COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C38520	Springfield Downtown Parking Facility	\$ 2,550,000
D	C38527	Rhodes Hall and Applied Science Center Renovation	\$ 685,191
E	C38531	Greene County Career Center Take Flight Initiative	\$ 850,000
F	TOTAL	Higher Education Improvement Fund	\$ 4,085,191
G	TOTAL	ALL FUNDS	\$ 4,085,191

**RHODES HALL AND APPLIED SCIENCE CENTER RENOVATION**

The amount reappropriated for the foregoing appropriation item C38527, Rhodes Hall and Applied Science Center Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C38527, Rhodes Hall and Applied Science Center Renovation, plus \$6,990. Prior to the expenditure of this appropriation, the Clark State Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$6,990.

**Section 207.24. CLS CLEVELAND STATE UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C26008	Geographic Information Systems	\$ 4,951

D	C26022	Campus Fire Alarm Upgrade	\$ 15,575
E	C26064	Engaged Learning Laboratories	\$ 908,242
F	C26065	Main Classroom Renovation	\$ 2,293,958
G	C26069	Cleveland Institute of Art Campus Unification Project	\$ 550,000
H	C26070	Workforce Based Training and Equipment	\$ 10,202
I	C26072	Fenn Hall Addition Project	\$ 190,322
J	C26073	School of Film, Television, and Interactive Media	\$ 280,336
K	C26079	Rhodes Tower Restroom Renovation	\$ 168,661
L	C26080	University Hospitals Harrington Heart and Vascular Institute	\$ 350,000
M	C26082	Campus Wide Elevator Modifications	\$ 1,313,200
N	C26086	Mandel Jewish Community Center	\$ 210,000
O		TOTAL Higher Education Improvement Fund	\$ 6,295,447
P		TOTAL ALL FUNDS	\$ 6,295,447

#### ENGAGED LEARNING LABORATORIES

The amount reappropriated for the foregoing appropriation item C26064, Engaged Learning Laboratories, is the unencumbered balance as of June 30, 2020, in appropriation item C26064, Engaged Learning Laboratories, plus the unencumbered balance as of June 30, 2020, in appropriation item C26002, 17th-18th Street Block.

#### MAIN CLASSROOM RENOVATION

The amount reappropriated for the foregoing appropriation item C26065, Main Classroom Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C26065, Main Classroom Renovation, plus \$39,046. Prior to the expenditure of this appropriation, the Cleveland State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$39,046.

#### MANDEL JEWISH COMMUNITY CENTER

The amount reappropriated for the foregoing appropriation item C26086, Mandel Jewish Community Center, is the unencumbered balance as of June



30, 2020, in appropriation item C26086, Mandel Jewish Community Center, plus the unencumbered balance as of June 30, 2020, in appropriation item C58020, Mandel Jewish Community Center.

**Section 207.26. CTI COLUMBUS STATE COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C38429	Delaware Entrepreneur Center	\$ 50,000
D	C38435	Student Success Renovations	\$ 50,000
E	C38436	Building Repairs	\$ 400,000
F	C38437	Building Infrastructure Repairs	\$ 600,000
G	C38438	Accessibility Upgrades	\$ 200,000
H	C38439	Academic/Student Space Upgrades	\$ 100,000
I	C38440	Delaware Entrepreneurial Center at Ohio Wesleyan	\$ 100,000
J	C38441	Freedom Cafe Project	\$ 100,000
K	C38442	The Point at Otterbein University	\$ 275,000
L	C38443	Central Ohio Job Skills and Workforce Developmental Center in Whitehall	\$ 400,000
M	TOTAL Higher Education Improvement Fund		\$ 2,275,000
N	TOTAL ALL FUNDS		\$ 2,275,000

**Section 207.28. CCC CUYAHOGA COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C37805	Workforce Based Training and Equipment	\$ 239,439
D	C37838	Structural Concrete Repairs	\$ 473,275

E	C37839	Roof Repair and Replacements	\$ 187,234
F	C37840	Workforce Economic Development Renovations	\$ 65,788
G	C37844	Rock and Roll Hall of Fame Museum 2.0	\$ 400,000
H	C37852	East Campus Exterior Plaza	\$ 1,000
I	C37853	CWRU Dental Clinic Relocation	\$ 200,000
J	C37854	Cleveland Sight Center Health Record System Modernization	\$ 150,000
K	C37855	Harvard Community Services Center Improvements	\$ 75,000
L	C37856	MetroHealth West 25th Street Corridor Revitalization	\$ 750,000
M	C37859	Bay Village Emergency Boat Shelter	\$ 32,500
N	TOTAL Higher Education Improvement Fund		\$ 2,574,236
O	TOTAL ALL FUNDS		\$ 2,574,236

**EAST CAMPUS EXTERIOR PLAZA**

The amount reappropriated for the foregoing appropriation item C37852, East Campus Exterior Plaza, is the unencumbered balance as of June 30, 2020, in appropriation item C37852, East Campus Exterior Plaza, plus \$64,522. Prior to the expenditure of this appropriation, the Cuyahoga Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$64,522.

**Section 207.30. JTC EASTERN GATEWAY COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C38607	Workforce Based Training and Equipment	\$ 518,092
D	C38618	Student Success Center	\$ 15,318
E	C38620	Safety, Security, and Accessibility Upgrade	\$ 5,000
F	C38621	Mahoning Valley Community Healthcare	\$ 100,000

Training Center

G	C38622 Eastwood Field Improvements	\$ 200,000
H	TOTAL Higher Education Improvement Fund	\$ 838,410
I	TOTAL ALL FUNDS	\$ 838,410

STUDENT SUCCESS CENTER

The amount reappropriated for the foregoing appropriation item C38618, Student Success Center, is the unencumbered balance as of June 30, 2020, in appropriation item C38618, Student Success Center, plus \$8,828. Prior to the expenditure of this appropriation, the Eastern Gateway Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$8,828.

**Section 207.32. ESC EDISON STATE COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C39000 Basic Renovations		\$ 370,991
D	C39014 Access Improvements		\$ 5,165
E	C39015 Information Technology Upgrades		\$ 256,686
F	C39016 Roof Repair and Replacements		\$ 364,921
G	C39017 Electronic Lock System		\$ 10,429
H	C39018 HVAC Repair and Replacements		\$ 431,028
I	C39019 Parking Lot Resurfacing		\$ 73,758
J	C39020 Security Cameras		\$ 139,502
K	C39021 Computer Center/Edison Infrastructure Protection/Renovation		\$ 89,045
L	C39022 Classroom and Laboratory Renovation		\$ 250,000
M	C39023 Workforce Based Training and Equipment		\$ 104,666
N	C39024 Arcanum Butler Agricultural Education Initiative		\$ 150,000
O	TOTAL Higher Education Improvement Fund		\$ 2,246,191

P TOTAL ALL FUNDS \$ 2,246,191

**Section 207.34. HTC HOCKING TECHNICAL COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C36313 Perry County Community Health at Hocking		\$ 200,000
D	C36320 Chiller and Plumbing Repairs		\$ 50,941
E	C36321 Workforce Development and Training Center Renovation		\$ 755,000
F	C36323 Equestrian and Veterinary Workforce Facilities Renovation		\$ 1,865,600
G	C36324 Dental Hygiene Workforce Facilities Renovation		\$ 75,171
H	C36326 Technology Media Workforce Center		\$ 600,000
I	C36327 Public Safety and Natural Resources Program Laboratory Renovation and Expansion		\$ 1,100,742
J	TOTAL Higher Education Improvement Fund		\$ 4,647,454
K	TOTAL ALL FUNDS		\$ 4,647,454

**EQUESTRIAN AND VETERINARY WORKFORCE FACILITIES RENOVATION**

The amount reappropriated for the foregoing appropriation item C36323, Equestrian and Veterinary Workforce Facilities Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C36323, Equestrian and Veterinary Workforce Facilities Renovation, plus \$104,159. Prior to the expenditure of this appropriation, the Hocking Technical College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$104,159.

**Section 207.36. LTC JAMES RHODES STATE COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C38100 Basic Renovations		\$ 500,000
D	C38109 Workforce Based Training and Equipment		\$ 25,000
E	C38116 Center for Health Science Education and Innovation		\$ 7,000,000
F	C38117 IT Infrastructure		\$ 1,100,000
G	C38119 Completion Plan Outcome - Toolbox		\$ 70,000
H	C38122 Campus and Classroom Safety Upgrades		\$ 100,000
I	TOTAL Higher Education Improvement Fund		\$ 8,795,000
J	TOTAL ALL FUNDS		\$ 8,795,000

**CENTER FOR HEALTH SCIENCE EDUCATION AND INNOVATION**

The amount reappropriated for the foregoing appropriation item C38116, Center for Health Science Education and Innovation, is the unencumbered balance as of June 30, 2020, in appropriation item C38116, Center For Health Science Education and Innovation, plus the unencumbered balance as of June 30, 2020, in appropriation items C38113, Cook Hall Renovations and C38118, Road and Parking Resurfacing.

**Section 207.38. KSU KENT STATE UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Taxable Fund (Fund 7024)		
C	C270H7 LCM Material Science Hood Control - Taxable		\$ 1,000
D	TOTAL Higher Education Improvement Taxable Fund		\$ 1,000
E	Higher Education Improvement Fund (Fund 7034)		
F	C27003 Classroom Building Renovations - East		\$ 1,590

## Liverpool

G	C27079 Blossom Music Center	\$ 3,800,000
H	C270F3 Severance Hall Improvements	\$ 3,850,000
I	C270G3 Campus Fire Alarm System Replacements	\$ 52,950
J	C270H2 Founders Hall HVAC Upgrades - Tuscarawas	\$ 3,000
K	C270H3 Founders Hall Partial Roof Replacement - Tuscarawas	\$ 15,000
L	C270H5 Workforce Based Training and Equipment	\$ 70,102
M	C270I1 Design Innovation Center	\$ 150,000
N	C270I2 Rockwell Hall Roof Replacement	\$ 100,000
O	C270I3 Research Laboratory Build-outs	\$ 179,468
P	C270I4 Henderson Hall HVAC and ADA Improvements	\$ 750,000
Q	C270I5 White Hall Rehabilitation	\$ 650,000
R	C270I7 Library Asbestos Abatement and Restroom Installation - Ashtabula	\$ 800,000
S	C270I8 Purinton Hall Roof Replacement - East Liverpool	\$ 300,000
T	C270I9 Main Classroom Building Partial Roof Replacement - Salem	\$ 30,000
U	C270J1 Main Classroom Building Window Replacement - Geauga	\$ 10,000
V	C270J2 Link Building Windows and Tech Building Partial Roof - Trumbull	\$ 10,000
W	C270J4 Notre Dame College Performing Arts Center Renovations	\$ 50,000
X	C270J6 Buckeye Career Center Energy Operations Classroom Facility Renovation	\$ 350,000
Y	C270J9 Kent Stage Theater Restoration Project	\$ 100,000
Z	TOTAL Higher Education Improvement Fund	\$ 11,272,110
AA	TOTAL ALL FUNDS	\$ 11,273,110

**CAMPUS FIRE ALARM SYSTEM REPLACEMENTS**

The amount reappropriated for the foregoing appropriation item C270G3, Campus Fire Alarm System Replacements, is the unencumbered balance as of June 30, 2020, in appropriation item C270G3, Campus Fire Alarm System Replacements, plus the unencumbered balance as of June 30, 2020, in appropriation item C270J8, Basic Renovation - Taxable.

**Section 207.40. LCC LAKELAND COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C37900 Basic Renovations		\$ 270,240
D	C37911 Workforce Based Training and Equipment		\$ 202,468
E	C37918 Welding Laboratory Program Expansion		\$ 417,330
F	C37919 Engineering Building Renovations		\$ 4,000,000
G	C37920 Student Success Center		\$ 189,632
H	TOTAL Higher Education Improvement Fund		\$ 5,079,670
I	TOTAL ALL FUNDS		\$ 5,079,670

**BASIC RENOVATIONS**

The amount reappropriated for the foregoing appropriation item C37900, Basic Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C37900, Basic Renovations, plus \$32,753. Prior to the expenditure of this appropriation, the Lakeland Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$32,753.

**Section 207.42. LOR LORAIN COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations

B	Higher Education Improvement Fund (Fund 7034)		
C	C38315	Manufacturing Innovation Center Renovation	\$ 1,100,000
D	C38318	IT Upgrades	\$ 749,260
E	C38320	South Lorain Boys and Girls Club Education and Wellness Center	\$ 75,000
F	C38321	Mercy Regional Behavioral Health Access Center	\$ 325,000
G	TOTAL Higher Education Improvement Fund		\$ 2,249,260
H	TOTAL ALL FUNDS		\$ 2,249,260

**Section 207.44. MTC MARION TECHNICAL COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C35909	Academic Program and Career Counseling Expansion	\$ 2,128
D	C35912	ryson Hall Renovations	\$ 300,636
E	TOTAL Higher Education Improvement Fund		\$ 302,764
F	TOTAL ALL FUNDS		\$ 302,764

**Section 207.46. MUN MIAMI UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C28502	Basic Renovations - Hamilton	\$ 51,971
D	C28503	Basic Renovations - Middletown	\$ 157,612



E	C28505	Cooperative Regional Library Depository Southwest	\$ 83,501
F	C28580	Workforce Based Training and Equipment	\$ 5,826
G	C28581	Pearson Hall Renovation	\$ 434,236
H	C28590	Boys and Girls Club of Hamilton	\$ 400,000
I	C28591	Butler Tech Manufacturing Center	\$ 200,000
J	C28592	Middletown Regional Airport Aviation Workforce Training Center	\$ 750,000
K	C28593	Hillel Building Improvements	\$ 400,000
L		TOTAL Higher Education Improvement Fund	\$ 2,483,146
M		TOTAL ALL FUNDS	\$ 2,483,146

**BASIC RENOVATIONS - HAMILTON**

The amount reappropriated for the foregoing appropriation item C28502, Basic Renovations - Hamilton, is the unencumbered balance as of June 30, 2020, in appropriation item C28502, Basic Renovations - Hamilton, plus the unencumbered balance as of June 30, 2020, in appropriation item C28523, Special Academic/Administrative Projects - Hamilton.

**BASIC RENOVATIONS - MIDDLETOWN**

The amount reappropriated for the foregoing appropriation item C28503, Basic Renovations - Middletown, is the unencumbered balance as of June 30, 2020, in appropriation item C28503, Basic Renovations - Middletown, plus the unencumbered balance as of June 30, 2020, in appropriation items C28525, Special Academic/Administrative Projects - Middletown and C28560, Academic/Administrative and Renovation Projects.

**Section 207.48. NCC NORTH CENTRAL TECHNICAL COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C38000	Basic Renovations	\$ 14,333
D	C38010	Kehoe Center Infrastructure Renovation	\$ 157,527
E	C38012	Health Sciences Center Renovations	\$ 1,441

F	C38014 IT Data Infrastructure Upgrade Project	\$ 58,086
G	C38018 Workforce Based Training and Equipment	\$ 2,837
H	C38019 Kee Hall Renovation	\$ 196,079
I	TOTAL Higher Education Improvement Fund	\$ 430,303
J	TOTAL ALL FUNDS	\$ 430,303

**Section 207.50. NEM NORTHEAST OHIO MEDICAL UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C30500 Basic Renovations		\$ 3,559
D	C30501 Cooperative Regional Library Depository Northeast		\$ 60,000
E	C30535 Electrical Panels Infrastructure Replacement and Upgrade		\$ 100,000
F	C30538 University Hospitals Geauga Medical Center		\$ 900,000
G	C30539 Cleveland Clinic Children's Outpatient Therapy Services Medina		\$ 750,000
H	C30540 Pro Football Hall of Fame		\$ 1,000,000
I	TOTAL Higher Education Improvement Fund		\$ 2,813,559
J	TOTAL ALL FUNDS		\$ 2,813,559

**BASIC RENOVATIONS**

The amount reappropriated for the foregoing appropriation item C30500, Basic Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C30500, Basic Renovations, plus \$171,929. Prior to the expenditure of this appropriation, the Northeast Ohio Medical University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$171,929.

**Section 207.52. NTC NORTHWEST STATE COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C38210	Workforce Based Training and Equipment	\$ 263,924
D	C38217	Napoleon Civic Center	\$ 100,000
E	C38219	Building B Renovations	\$ 2,329,873
F	C38220	Mercy College Learning Commons and Classroom Expansion	\$ 200,000
G	TOTAL Higher Education Improvement Fund		\$ 2,893,797
H	TOTAL ALL FUNDS		\$ 2,893,797

**Section 207.54. OSU OHIO STATE UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C315AZ	Neuromodulation Clinical Expansion	\$ 278,734
D	C315BR	Replacement Emergency Generators	\$ 1,334,861
E	C315D2	Supercomputer Center Expansion	\$ 11,120
F	C315DE	Ohio Library and Information Network	\$ 1,674
G	C315DM	Roof Repair and Replacements	\$ 5,223,634
H	C315DN	Fire System Replacements	\$ 4,134,044
I	C315DP	HVAC Repair and Replacements	\$ 13,084,042
J	C315DQ	Elevator Safety Repairs and Replacements	\$ 4,486,250
K	C315DR	Infrastructure Improvements	\$ 569,200
L	C315DS	Building Envelope Repair	\$ 371,351
M	C315DT	Plumbing Repair	\$ 945,475

N	C315DU	Road/Bridge Improvements	\$ 4,067,118
O	C315DX	Thorne Hall - Wooster	\$ 156,000
P	C315EF	HVAC Repair and Replacements - Lima	\$ 249,608
Q	C315EH	Campus Security Improvement - Lima	\$ 40,669
R	C315EK	OSU African-American Studies Extension Center	\$ 1,000,000
S	C315EZ	Dynamic Materials Instrument	\$ 18,681
T	C315FC	Postle Partial Replacement	\$ 260,000
U	C315FD	Electrical Repairs	\$ 2,488,080
V	C315FE	Standby Generators - Lima	\$ 257,000
W	C315FQ	Founder's Hall Renovation Planning - Newark	\$ 3,220,532
X	C315FV	Mathematical Biosciences	\$ 12,568
Y	C315GA	Celeste Lab Renovation	\$ 22,321,066
Z	C315GB	Hamilton Hall Renovation	\$ 14,403,070
AA	C315GC	Newton Hall Renovation/ Addition	\$ 6,909,332
AB	C315GD	Reed Hall Restroom Renovations - Lima	\$ 263,869
AC	C315GE	Parking Lot/Sidewalk Renovations - Lima	\$ 53,057
AD	C315GF	Outdoor Lighting Renovations - Lima	\$ 645,500
AE	C315GG	Conard Hall Chemistry Labs Renovation - Mansfield	\$ 1,716,887
AF	C315GH	Alber Student Center Renovation - Marion	\$ 1,725,547
AG	C315GJ	Asphalt Paving Renovations - Marion	\$ 620,000
AH	C315GK	Building Envelope and Walk Renovations - Marion	\$ 326,218
AI	C315GO	Canine Companions Regional Training Facility	\$ 750,000

AJ	C315GP	Smart Columbus Experience Center	\$ 500,000
AK	C315GR	Heath Port Authority Primary Standards Lab	\$ 250,000
AL	C315GS	Boys and Girls Club Marion County Teen Center Improvements	\$ 50,000
AM	C315GT	Raemelton Therapeutic Equestrian Center Greenhouse Project	\$ 90,000
AN	C315GU	Union County Automotive and Mobility Center	\$ 1,500,000
AO	C315GW	Sea Grant – Stone Laboratory	\$ 2,143,446
AP	C315H3	OARnet	\$ 9,457
AQ	C315S4	Library Depository – Central	\$ 28,631
AR	C315T9	Basic Renovations - OARDC	\$ 1,000
AS	C315X2	Integrated Technical Infrastructure	\$ 23,382
AT	TOTAL	Higher Education Improvement Fund	\$ 96,541,103
AU	TOTAL	ALL FUNDS	\$ 96,541,103

#### SUPERCOMPUTER CENTER EXPANSION

The amount reappropriated for the foregoing appropriation item C315D2, Supercomputer Center Expansion, is the unencumbered balance as of June 30, 2020, in appropriation item C315D2, Supercomputer Center Expansion, plus \$261,239. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$261,239.

#### HVAC REPAIR AND REPLACEMENTS - LIMA

The amount reappropriated for the foregoing appropriation item C315EF, HVAC Repair and Replacements - Lima, is the unencumbered balance as of June 30, 2020, in appropriation item C315EF, HVAC Repair and Replacements - Lima, plus the unencumbered balance as of June 30, 2020, in appropriation item C315FG, Reed Hall Roof - Lima.

#### OSU AFRICAN-AMERICAN STUDIES EXTENSION CENTER

The amount reappropriated for the foregoing appropriation item C315EK, OSU African-American Studies Extension Center, is the unencumbered balance as of June 30, 2020, in appropriation item C315EK, OSU African-

American Studies Extension Center, plus the unencumbered balance as of June 30, 2020, in appropriation item C315U8, OSU African-American and African Studies.

#### FOUNDER'S HALL RENOVATION PLANNING - NEWARK

The amount reappropriated for the foregoing appropriation item C315FQ, Founder's Hall Renovation Planning - Newark, is the unencumbered balance as of June 30, 2020, in appropriation item C315FQ, Founder's Hall Renovation Planning - Newark, plus the unencumbered balance as of June 30, 2020, in appropriation item C315FN, Basic Renovations - Newark.

#### CELESTE LAB RENOVATION

The amount reappropriated for the foregoing appropriation item C315GA, Celeste Lab Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C315GA, Celeste Lab Renovation, plus \$206,754, plus the unencumbered balance as of June 30, 2020, in appropriation item C315BF, Boiler Replacement. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$206,754.

#### CONARD HALL CHEMISTRY LABS RENOVATION - MANSFIELD

The amount reappropriated for the foregoing appropriation item C315GG, Conard Hall Chemistry Labs Renovation - Mansfield, is the unencumbered balance as of June 30, 2020, in appropriation item C315GG, Conard Hall Chemistry Labs Renovation - Mansfield, plus the unencumbered balance as of June 30, 2020, in appropriation item C315FH, Conard 2nd Floor Renovations - Mansfield.

#### BUILDING ENVELOPE AND WALK RENOVATIONS - MARION

The amount reappropriated for the foregoing appropriation item C315GK, Building Envelope and Walk Renovations - Marion, is the unencumbered balance as of June 30, 2020, in appropriation item C315GK, Building Envelope and Walk Renovations - Marion, plus the unencumbered balance as of June 30, 2020, in appropriation items C315FK, Morrill Hall Renovations - Marion and C315CA, Morrill Hall Renovation - Marion.

#### OARNET

The amount reappropriated for the foregoing appropriation item C315H3, OARnet, is the unencumbered balance as of June 30, 2020, in appropriation item C315H3, OARnet, plus \$78,103. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$78,103.

#### BASIC RENOVATIONS - OARDC

The amount reappropriated for the foregoing appropriation item C315T9, Basic Renovations - OARDC, is the unencumbered balance as of June 30, 2020, in appropriation item C315T9, Basic Renovations - OARDC, plus \$6,578. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$6,578.

**INTEGRATED TECHNICAL INFRASTRUCTURE**

The amount reappropriated for the foregoing appropriation item C315X2, Integrated Technical Infrastructure, is the unencumbered balance as of June 30, 2020, in appropriation item C315X2, Integrated Technical Infrastructure, plus \$25,472. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$25,472.

**Section 207.56. OHU OHIO UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C30025	Southeast Library Warehouse	\$ 50,890
D	C30037	Workforce Based Training and Equipment	\$ 120,944
E	C30075	Infrastructure Improvements	\$ 1,651,257
F	C30136	Building Envelope Restorations	\$ 3,098,077
G	C30151	Zanesville Building/ Infrastructure Renewal	\$ 179,926
H	C30157	Building and Safety Systems Improvements	\$ 5,441,759
I	C30158	Academic Space Improvements	\$ 14,386,927
J	C30160	Chillicothe Building/ Infrastructure Renewal	\$ 1,080,331
K	C30161	Eastern Building/ Infrastructure Renewal	\$ 2,552
L	C30162	Lancaster Building/ Infrastructure Renewal	\$ 805,834
M	C30163	Southern Building/ Infrastructure Renewal	\$ 540,097

N	C30164	Building Exterior Improvements – Regional Campuses	\$ 1,016,685
O	C30169	CWRU Health Education Campus	\$ 1,000,000
P	C30170	Building Interior Improvements – Regional Campuses	\$ 904,857
Q	C30171	Campus Infrastructure Improvements – Regional Campuses	\$ 1,904,254
R	C30173	Lawrence EMS Services and Senior Center - Southern	\$ 1,000,000
S	TOTAL	Higher Education Improvement Fund	\$ 33,184,390
T	TOTAL	ALL FUNDS	\$ 33,184,390

#### INFRASTRUCTURE IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item C30075, Infrastructure Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C30075, Infrastructure Improvements, plus the unencumbered balance as of June 30, 2020, in appropriation item C30133, Electrical Distribution Upgrades.

#### BUILDING ENVELOPE RESTORATIONS

The amount reappropriated for the foregoing appropriation item C30136, Building Envelope Restorations, is the unencumbered balance as of June 30, 2020, in appropriation item C30136, Building Envelope Restorations, plus \$22,698. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$22,698.

#### BUILDING AND SAFETY SYSTEMS IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item C30157, Building and Safety Systems Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C30157, Building and Safety Systems Improvements, plus \$2,801, plus the unencumbered balance as of June 30, 2020, in appropriation items C30131, College of Fine Arts Infrastructure Upgrades, and C30148, Campus Chilled Water/AHU Improvements. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$2,801.

#### CHILLICOTHE BUILDING/INFRASTRUCTURE RENEWAL



The amount reappropriated for the foregoing appropriation item C30160, Chillicothe Building/Infrastructure Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C30160, Chillicothe Building/Infrastructure Renewal, plus \$41,195, plus the unencumbered balance as of June 30, 2020, in appropriation item C30147, Bennett Hall Electrical - Chillicothe. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$41,195.

#### EASTERN BUILDING/INFRASTRUCTURE RENEWAL

The amount reappropriated for the foregoing appropriation item C30161, Eastern Building/Infrastructure Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C30161, Eastern Building/Infrastructure Renewal, plus \$10,287, plus the unencumbered balance as of June 30, 2020, in appropriation item C30118, Shannon Hall Renovation - Eastern. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,287.

#### LANCASTER BUILDING/INFRASTRUCTURE RENEWAL

The amount reappropriated for the foregoing appropriation item C30162, Lancaster Building/Infrastructure Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C30162, Lancaster Building/Infrastructure Renewal, plus \$3,487, plus the unencumbered balance as of June 30, 2020, in appropriation items C30074, Basic Renovations - Lancaster, and C30119, Brasee Hall Renovations - Lancaster. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$3,487.

#### SOUTHERN BUILDING/INFRASTRUCTURE RENEWAL

The amount reappropriated for the foregoing appropriation item C30163, Southern Building/Infrastructure Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C30163, Southern Building/Infrastructure Renewal, plus \$17,540, plus the unencumbered balance as of June 30, 2020, in appropriation items C30008, Basic Renovations - Ironton, C30073, Proctor Planning and Site Improvements, and C30141, Safety and Security Systems Improvements - Southern. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$17,540.

#### CAMPUS INFRASTRUCTURE IMPROVEMENTS - REGIONAL CAMPUSES

The amount reappropriated for the foregoing appropriation item C30171, Campus Infrastructure Improvements – Regional Campuses, is the unencumbered balance as of June 30, 2020, in appropriation item C30171, Campus Infrastructure Improvements – Regional Campuses, plus \$1,347. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,347.

**Section 207.58. OTC OWENS COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Taxable Fund (Fund 7024)		
C	C38838	Advanced Manufacturing/ STEM Renovations - Taxable	\$ 50,000
D	C38839	Roof Renovations - Taxable	\$ 5,000
E	TOTAL Higher Education Improvement Taxable Fund		\$ 55,000
F	Higher Education Improvement Fund (Fund 7034)		
G	C38826	College Hall Renovation	\$ 150,000
H	C38833	IT Campus Security Upgrades	\$ 2,500
I	C38837	Center for Emergency Preparedness	\$ 10,000
J	TOTAL Higher Education Improvement Fund		\$ 162,500
K	TOTAL ALL FUNDS		\$ 217,500

**COLLEGE HALL RENOVATION**

The amount reappropriated for the foregoing appropriation item C38826, College Hall Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C38826, College Hall Renovation, plus \$10,987. Prior to the expenditure of this appropriation, the Owens Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,987.

**Section 207.60. RGC RIO GRANDE COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C35600 Basic Renovations		\$ 1,587,774
D	C35608 College Completion to Career Center		\$ 937,914
E	C35609 Jackson Center Acquisition and Renovation		\$ 177,876
F	C35610 Technology Infrastructure and Information Systems		\$ 600,000
G	C35612 Rio Grande Community College McArthur Center		\$ 75,000
H	C35613 Workforce Based Training and Equipment		\$ 121,978
I	C35615 Vinton County Rio Grande Branch Campus		\$ 200,000
J	TOTAL Higher Education Improvement Fund		\$ 3,700,542
K	TOTAL ALL FUNDS		\$ 3,700,542

**TECHNOLOGY INFRASTRUCTURE AND INFORMATION SYSTEMS**

The amount reappropriated for the foregoing appropriation item C35610, Technology Infrastructure and Information Systems, is the unencumbered balance as of June 30, 2020, in appropriation item C35610, Technology Infrastructure and Information Systems, plus the unencumbered balance as of June 30, 2020, in appropriation items C30168, Holzer Health and Wellness Center, and C315FT, Bidwell/OSU Cattle Processing Facility.

**Section 207.62. SSC SHAWNEE STATE UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C32400 Basic Renovations		\$ 2,708,954
D	C32430 Workforce Based Training and Equipment		\$ 81,753

E	C32431	Clark Memorial Library - Rehabilitation and Repurposing	\$ 1,800,000
F	C32432	Advanced Technology Center/Technology and Industrial Buildings Rehabilitation	\$ 345,250
G	C32433	Shawnee State University Innovation Accelerator	\$ 200,000
H	C32434	Kricker Innovation Hub	\$ 500,000
I	TOTAL Higher Education Improvement Fund		\$ 5,635,957
J	TOTAL ALL FUNDS		\$ 5,635,957

**Section 207.64. SCC SINCLAIR COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C37746	Dayton Regional Crisis Stabilization Unit and Detox Center	\$ 800,000
D	TOTAL Higher Education Improvement Fund		\$ 800,000
E	TOTAL ALL FUNDS		\$ 800,000

**DAYTON REGIONAL CRISIS STABILIZATION UNIT AND DETOX CENTER**

The amount reappropriated for the foregoing appropriation item C37746, Dayton Regional Crisis Stabilization Unit and Detox Center, is the unencumbered balance as of June 30, 2020, in appropriation item C37746, Dayton Regional Crisis Stabilization Unit and Detox Center, plus \$800,000.

**Section 207.66. SOC SOUTHERN STATE COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		

C	C32200 Basic Renovations	\$ 290,252
D	C32206 Adams County Satellite Campus	\$ 1,166,815
E	C32216 Wilmington Air Park Improvements	\$ 1,075,000
F	C32218 Health Science Center Renovation	\$ 3,567,300
G	C32226 STEM+M Academy	\$ 600,000
H	TOTAL Higher Education Improvement Fund	\$ 6,699,367
I	TOTAL ALL FUNDS	\$ 6,699,367

WILMINGTON AIR PARK IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item C32216, Wilmington Air Park Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C32216, Wilmington Air Park Improvements, plus \$75,000, plus the unencumbered balance as of June 30, 2020, in appropriation item C32223, Clinton County Airport Equipment and Facilities Complex.

STEM+M ACADEMY

The amount reappropriated for the foregoing appropriation item C32226, STEM+M Academy, is the unencumbered balance as of June 30, 2020, in appropriation item C32226, STEM+M Academy, plus \$600,000.

**Section 207.68. STC STARK TECHNICAL COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C38924 Parking Lot Resurfacing		\$ 209,141
D	C38927 Workforce Based Training and Equipment		\$ 137,363
E	C38931 Storefront Renovations		\$ 284,010
F	C38932 Campbell Community Literacy Workforce and Cultural Center		\$ 300,000
G	C38933 Greater Akron CDL Training Center		\$ 186,524
H	C38934 Barberton Headstart Expansion		\$ 200,000

I	C38935 Roof Replacements	\$ 361,718
J	TOTAL Higher Education Improvement Fund	\$ 1,678,756
K	TOTAL ALL FUNDS	\$ 1,678,756

**PARKING LOT RESURFACING**

The amount reappropriated for the foregoing appropriation item C38924, Parking Lot Resurfacing, is the unencumbered balance as of June 30, 2020 in appropriation item C38924, Parking Lot Resurfacing, plus \$10,300, plus the unencumbered balance as of June 30, 2020 in appropriation items C38929, Akron Center for Education and Workforce, and C38936, Parking Lots. Prior to the expenditure of this appropriation, the Stark Technical College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,300.

**ROOF REPLACEMENTS**

The amount reappropriated for the foregoing appropriation item C38935, Roof Replacements, is the unencumbered balance as of June 30, 2020 in appropriation item C38935, Roof Replacements, plus the unencumbered balance as of June 30, 2020 in appropriation item C38923, Atrium Skylight Glass Replacement.

**Section 207.70. TTC TERRA STATE COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C36400 Basic Renovations		\$ 12,114
D	C36414 Northwest Ohio Community Technology Learning Center		\$ 50,000
E	C36417 Ohio Partnership for Water, Industrial, and Cyber Security		\$ 700,000
F	TOTAL Higher Education Improvement Fund		\$ 762,114
G	TOTAL ALL FUNDS		\$ 762,114

## BASIC RENOVATIONS

The amount reappropriated for the foregoing appropriation item C36400, Basic Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C36400, Basic Renovations, plus \$1,479. Prior to the expenditure of this appropriation, the Terra State Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,479.

**Section 207.72. UAK UNIVERSITY OF AKRON**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C25000 Basic Renovations - Main		\$ 2,555,247
D	C25055 Auburn Science and Engineering Center		\$ 1,200,000
E	C25077 Workforce Based Training and Equipment		\$ 143,333
F	C25079 Campus Infrastructure Improvements		\$ 504,454
G	C25081 Buckingham Building Renovations		\$ 983,150
H	C25082 Crouse/Ayer Hall Consolidation		\$ 2,466,100
I	C25083 University of Akron AMES		\$ 1,947,461
J	C25084 Bierce Library		\$ 850,000
K	C25086 Ashland County-West Holmes Career Center Workforce Development Center		\$ 300,000
L	C25088 Ohio Cyber Range		\$ 118,742
M	C25089 McClain Gallery		\$ 100,000
N	TOTAL Higher Education Improvement Fund		\$ 11,168,487
O	TOTAL ALL FUNDS		\$ 11,168,487

## MCCLAIN GALLERY

The amount reappropriated for the foregoing appropriation item C25089, McClain Gallery, is the unencumbered balance as of June 30, 2020, in appropriation item C25089, McClain Gallery, plus the unencumbered balance as of June 30, 2020, in appropriation item C25087, AxessPointe Community

Health Center.

**Section 207.74. UCN UNIVERSITY OF CINCINNATI**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C26604	Barrett Cancer Center	\$ 2,027,594
D	C26615	Beech Acres	\$ 1,790
E	C26678	Muntz Hall - Blue Ash	\$ 3,802,946
F	C26687	Workforce Based Training and Equipment	\$ 279,075
G	C26695	Rhodes Hall Roof Replacement and Fire Suppression	\$ 550,000
H	C26697	Vontz Center Roof, Panel, and Window Replacements	\$ 8,171,822
I	C266A5	Rieveschl Hall Laboratory Renovations	\$ 6,101,157
J	C266A6	Kettering Exhaust Manifold and Roof Replacement	\$ 1,032,625
K	C266A8	People Working Cooperatively Campus Safety Systems	\$ 75,000
L	C266B2	Ohio Cyber Range	\$ 1,350,000
M	TOTAL Higher Education Improvement Fund		\$ 23,392,009
N	TOTAL ALL FUNDS		\$ 23,392,009

**VONTZ CENTER ROOF, PANEL, AND WINDOW REPLACEMENTS**

The amount reappropriated for the foregoing appropriation item C26697, Vontz Center Roof, Panel, and Window Replacements, is the unencumbered balance as of June 30, 2020, in appropriation item C26697, Vontz Center Roof, Panel, and Window Replacements, plus the unencumbered balance as of June 30, 2020, in appropriation item C26681, Institutional Roof Replacement.

**RIEVESCHL HALL LABORATORY RENOVATIONS**

The amount reappropriated for the foregoing appropriation item C266A5,



Rieveschl Hall Laboratory Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C266A5, Rieveschl Hall Laboratory Renovations, plus the unencumbered balance as of June 30, 2020, in appropriation items C26500, Basic Renovations and C26694, Rieveschl Roof Replacement and Rooftop Exhaust.

**Section 207.76. UTO UNIVERSITY OF TOLEDO**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C34072	Building Automation System Upgrades	\$ 50,000
D	C34073	Mechanical System Improvements	\$ 19,886
E	C34080	Building Envelope/ Weatherproofing	\$ 50,000
F	C34089	Research Laboratory Renovations	\$ 21,622
G	C34097	North Engineering Lab/Classroom Renovations	\$ 50,000
H	C34099	University of Toledo/Ohio State Highway Patrol Public Safety Facility	\$ 575,000
I	C340A2	Virtual Laboratory Expansion	\$ 100,000
J	C340A3	Application Security	\$ 123,073
K	C340A5	ProMedica Transformative Low Income Medical Senior Housing	\$ 250,000
L	TOTAL	Higher Education Improvement Fund	\$ 1,239,581
M	TOTAL	ALL FUNDS	\$ 1,239,581

**NORTH ENGINEERING LAB/CLASSROOM RENOVATIONS**

The amount reappropriated for the foregoing appropriation item C34097, North Engineering Lab/Classroom Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C34097, North Engineering Lab/Classroom Renovations, plus \$309,816. Prior to the expenditure of this appropriation, the University of Toledo shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$309,816.

**Section 207.78. WTC WASHINGTON STATE COMMUNITY COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C35800	Basic Renovations	\$ 1,052,489
D	C35807	WTC Health Sciences Center	\$ 31,904
E	C35813	Workforce Based Training and Equipment	\$ 482,666
F	C35814	Main Building Door and Window Replacement/ Drivit Repairs	\$ 519,047
G	TOTAL Higher Education Improvement Fund		\$ 2,086,106
H	TOTAL ALL FUNDS		\$ 2,086,106

#### BASIC RENOVATIONS

The amount reappropriated for the foregoing appropriation item C35800, Basic Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C35800, Basic Renovations, plus \$45,730, plus the unencumbered balance as of June 30, 2020, in appropriation item C35815, Health Wellness & Education Facility Planning. Prior to the expenditure of this appropriation, the Washington State Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$45,730.

#### Section 207.80. WSU WRIGHT STATE UNIVERSITY

	1	2	3
A			Reappropriations
B	Higher Education Improvement Taxable Fund (Fund 7024)		
C	C27566	Advanced Manufacturing Center - CNC and Robotics Academy - Taxable	\$ 2,974
D	TOTAL Higher Education Improvement Taxable Fund		\$ 2,974
E	Higher Education Improvement Fund (Fund 7034)		
F	C27551	Veterans and Workforce Gateways	\$ 646,185

G	C27555	Advanced Manufacturing Center - CNC and Robotics Academy	\$ 53,164
H	C27558	Dayton Regional Cyber Lab and Analyst Innovation Center	\$ 2,346
I	C27567	Campus-wide Instructional Laboratory Modernization and Maintenance	\$ 527,954
J	C27569	Campus-wide Elevator Upgrades	\$ 1,072,625
K	C27570	Envelope Repairs	\$ 1,095,854
L	C27571	Wellfield Remediation	\$ 1,011,952
M	C27572	Electrical Infrastructure	\$ 1,357,450
N	C27574	Campus Infrastructure - Shoreline Renovation/ Stabilization - Lake	\$ 27,124
O	C27575	Tri-Star STEM Project	\$ 500,000
P	C27576	Wright State Campus Connector Building - Lake	\$ 193,418
Q	C25577	Workforce Based Training and Equipment	\$ 216,468
R	C27578	University Safety Initiative	\$ 3,950,500
S	C27579	Pedestrian Tunnel Renewal	\$ 601,880
T	C27580	Campus Roof Renewal and Replacement	\$ 384,366
U	C27582	Campus Paving and Grounds	\$ 41,959
V	C27584	Dunbar Library Modernization	\$ 78,929
W	C27585	Campus Energy Efficiency and Controls	\$ 1,245,559
X	C27586	Fairborn Fiber Expansion Project	\$ 75,000
Y		TOTAL Higher Education Improvement Fund	\$ 13,082,733
Z		TOTAL ALL FUNDS	\$ 13,085,707

CAMPUS-WIDE INSTRUCTIONAL LABORATORY  
MODERNIZATION AND MAINTENANCE

The amount reappropriated for the foregoing appropriation item C27567, Campus-wide Instructional Laboratory Modernization and Maintenance, is

the unencumbered balance as of June 30, 2020, in appropriation item C27567, Campus-wide Instructional Laboratory Modernization and Maintenance, plus \$5,000. Prior to the expenditure of this appropriation, the Wright State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$5,000.

**ENVELOPE REPAIRS**

The amount reappropriated for the foregoing appropriation item C27570, Envelope Repairs, is the unencumbered balance as of June 30, 2020, in appropriation item C27570, Envelope Repairs, plus \$127,199. Prior to the expenditure of this appropriation, the Wright State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$127,199.

**WELLFIELD REMEDIATION**

The amount reappropriated for the foregoing appropriation item C27571, Wellfield Remediation, is the unencumbered balance as of June 30, 2020, in appropriation item C27571, Wellfield Remediation, plus \$10,999. Prior to the expenditure of this appropriation, the Wright State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,999.

**Section 207.82. YSU YOUNGSTOWN STATE UNIVERSITY**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C34500	Basic Renovations	\$ 276,832
D	C34529	Workforce Based Training and Equipment	\$ 131,879
E	C34531	Campus Elevator Upgrades	\$ 57,374
F	C34534	Roof Renovations	\$ 5,694
G	C34536	Storm Water Upgrades	\$ 250,000
H	C34539	Edmund J. Salata Complex Renovation	\$ 300,000
I	C34540	Cushwa Hall Renovations	\$ 9,004
J	C34542	Campus-wide Building System Upgrades	\$ 54,196
K	C34544	Restroom Renovations	\$ 323,321

L	C34549	Ward Beecher Science Hall Renovations	\$ 290,052
M	C34550	Jones Hall Student Success Facility Upgrades	\$ 35,209
N	C34551	Academic Area Renovations and Upgrades	\$ 282,162
O	C34552	Meshel Hall Renovations	\$ 71,007
P	C34554	Mahoning Valley Innovation and Commercialization Center	\$ 5,965,760
Q	C34556	Cushwa Hall Physical Therapy Renovations/ Expansion	\$ 1,031,395
R	C34557	Ward Beecher Science Hall Structural Improvements	\$ 1,612,836
S	C34558	Fedor Hall Renovations	\$ 887,175
T	C34559	Pedestrian Bridge Renovations	\$ 1,363,505
U	C34560	Campus Roof Replacements	\$ 383,050
V	C34561	Building Envelope Renovations	\$ 684,003
W	C34567	Western Reserve Port Authority	\$ 250,000
X	TOTAL Higher Education Improvement Fund		\$ 14,264,454
Y	TOTAL ALL FUNDS		\$ 14,264,454

**WESTERN RESERVE PORT AUTHORITY**

The amount reappropriated for the foregoing appropriation item C34567, Western Reserve Port Authority, is the unencumbered balance as of June 30, 2020, in appropriation item C34567, Western Reserve Port Authority, plus the unencumbered balance as of June 30, 2020, in appropriation item C74544, Western Reserve Port Authority.

**Section 207.84. MAT ZANE STATE COLLEGE**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C36215	Workforce Based Training and Equipment	\$ 25,000

D	C36218 Zanesville Campus Renovations	\$ 800,000
E	C36224 IT Infrastructure	\$ 60,000
F	TOTAL Higher Education Improvement Fund	\$ 885,000
G	TOTAL ALL FUNDS	\$ 885,000

### ZANESVILLE CAMPUS RENOVATIONS

The amount reappropriated for the foregoing appropriation item C36218, Zanesville Campus Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C36218, Zanesville Campus Renovations, plus \$1,659. Prior to the expenditure of this appropriation, the Zane State College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,659.

**Section 208.10.** For all reappropriations in this act from the Higher Education Improvement Fund (Fund 7034) or the Higher Education Improvement Taxable Fund (Fund 7024) that require local funds to be contributed by any state-supported or state-assisted institution of higher education, the Department of Higher Education shall not recommend that any funds be released until the recipient institution demonstrates to the Department of Higher Education and the Office of Budget and Management that the local funds contribution requirement has been secured or satisfied. The local funds shall be in addition to the reappropriations in this act.

**Section 208.20.** None of the capital reappropriations in this act for state-supported or state-assisted institutions of higher education shall be expended until the particular appropriation has been recommended for release by the Department of Higher Education and released by the Director of Budget and Management or the Controlling Board. Either the institution concerned, or the Department of Higher Education with the concurrence of the institution concerned, may initiate the request to the Director of Budget and Management or the Controlling Board for the release of the particular appropriation.

**Section 208.30.** (A) No capital reappropriations in this act made from the Higher Education Improvement Fund (Fund 7034) or the Higher Education Improvement Taxable Fund (Fund 7024) shall be released for planning or for improvement, renovation, construction, or acquisition of capital facilities if the institution of higher education or the state does not own the real property on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

- (1) The institution has a long-term (at least twenty years) lease of, or other

interest (such as an easement) in, the real property.

(2) The Department of Higher Education certifies to the Controlling Board that undue delay will occur if planning does not proceed while the property or property interest acquisition process continues. In this case, funds may be released upon approval of the Controlling Board to pay for planning through the development of schematic drawings only.

(3) In the case of a reappropriation for capital facilities that, because of their unique nature or location, will be owned or will be part of facilities owned by a separate nonprofit organization or public body and will be made available to the institution of higher education for its use or benefit, the nonprofit organization or public body either owns or has a long-term (at least twenty years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement with the institution of higher education that meets the requirements of division (C) of this section.

(B) Any reappropriations that require cooperation between a technical college and a branch campus of a university may be released by the Controlling Board upon recommendation by the Department of Higher Education that the facilities proposed by the institutions are:

(1) The result of a joint planning effort by the university and the technical college, satisfactory to the Department of Higher Education;

(2) Facilities that will meet the needs of the region in terms of technical and general education, taking into consideration the totality of facilities that will be available after the completion of the projects;

(3) Planned to permit maximum joint use by the university and technical college of the totality of facilities that will be available upon their completion; and

(4) To be located on or adjacent to the branch campus of the university.

(C) The Department of Higher Education shall adopt and maintain rules regarding the release of moneys from all the appropriations for capital facilities for all state-supported or state-assisted institutions of higher education. In the case of capital facilities referred to in division (A)(3) of this section, the joint or cooperative use agreements shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than twenty years, with the value of such use or benefit or right to use to be, as is determined by the parties and approved by the Department of Higher Education, reasonably related to the amount of the appropriations;

(2) Provide for pro rata reimbursement to the state should the arrangement

for joint or cooperative use be terminated prior to the expiration of its full term;

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state statutes and rules, including the provisions of this act; and

(4) Provide for payment or reimbursement to the institution of its administrative costs incurred as a result of the facilities project, not to exceed 1.5 per cent of the appropriated amount.

(D) Upon the recommendation of the Department of Higher Education, the Controlling Board may approve the transfer of appropriations for projects requiring cooperation between institutions from one institution to another institution with the approval of both institutions.

(E) Notwithstanding section 127.14 of the Revised Code, the Controlling Board, upon the recommendation of the Department of Higher Education, may transfer amounts appropriated to the Department of Higher Education to accounts of state-supported or state-assisted institutions created for that same purpose.

**Section 208.40.** The requirements of Chapters 123. and 153. of the Revised Code, with respect to the powers and duties of the Executive Director of the Ohio Facilities Construction Commission as they relate to the procedure and awarding of contracts for capital improvement projects, and the requirements of section 127.16 of the Revised Code, with respect to the Controlling Board, do not apply to projects of community college districts and technical college districts.

**Section 208.50.** Those institutions locally administering capital improvement projects pursuant to sections 3345.50 and 3345.51 of the Revised Code may:

(A) Establish charges for recovering costs directly related to project administration as defined by the Executive Director of the Ohio Facilities Construction Commission. The Ohio Facilities Construction Commission, in consultation with the Office of Budget and Management, shall review and approve these administrative charges when the charges are in excess of 1.5 per cent of the total construction budget, provided that total administrative charges paid by the state do not exceed four per cent of the state's contribution to the total construction budget.

(B) Seek reimbursement from state capital appropriations to the institution for the in-house design services performed by the institution for the capital projects. Acceptable charges are limited to design document preparation work that is done by the institution. These reimbursable design costs shall be shown as "A/E fees" within the project's budget that is submitted to the Controlling



Board or the Director of Budget and Management as part of a request for release of funds. The reimbursement for in-house design shall not exceed seven per cent of the estimated construction cost.

**Section 208.60.** The Director of Budget and Management may as necessary to maintain the exclusion from the calculation of gross income for federal income taxation purposes under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1 et seq., with respect to obligations issued to fund projects appropriated from the Higher Education Improvement Fund:

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

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

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

**Section 209.10. ETC BROADCAST EDUCATIONAL MEDIA COMMISSION**

	1	2	3
A			Reappropriations
B	Higher Education Improvement Fund (Fund 7034)		
C	C37406	Network Operations Center Upgrades	\$ 3,330
D	C37412	OGT Facilities and Equipment	\$ 44,220
E	TOTAL Higher Education Improvement Fund		\$ 47,550
F	TOTAL ALL FUNDS		\$ 47,550

**Section 211.10. CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD**

	1	2	3
A			Reappropriations
B	Underground Parking Garage Operating Fund (Fund 2080)		
C	C87402	Capitol Square Repair/Improvements	\$ 246,550
D	TOTAL Underground Parking Garage Operating Fund		\$ 246,550
E	Administrative Building Fund (Fund 7026)		
F	C87407	Statehouse Repair/Improvements	\$ 172,600
G	C87412	Capitol Square Security	\$ 49,265
H	C87414	CSRAB Warehouse	\$ 8,800
I	C87417	Statehouse Garage Repair/Improvements	\$ 4,290,257
J	TOTAL Administrative Building Fund		\$ 4,520,922
K	TOTAL ALL FUNDS		\$ 4,767,472

**Section 213.10. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES**

	1	2	3
A			Reappropriations
B	Building Improvement Fund (Fund 5KZ0)		
C	C10035	Building Improvement	\$ 25,000,000
D	TOTAL Building Improvement Fund		\$ 25,000,000
E	Administrative Building Taxable Bond Fund (Fund 7016)		
F	C10041	MARCS - Taxable	\$ 850,000
G	TOTAL Administrative Building Taxable Bond Fund		\$ 850,000

H	Administrative Building Fund (Fund 7026)	
I	C10000 Governor's Residence	\$ 1,100,996
J	C10010 Office Services Building Renovation	\$ 295,418
K	C10015 SOCC Renovations	\$ 6,073,549
L	C10019 25 S. Front Street Renovations	\$ 10,582
M	C10020 North High Building Complex Renovations	\$ 19,326,378
N	C10021 Office Space Planning	\$ 1,909,204
O	C10023 eSecure Ohio	\$ 137,016
P	C10031 Operations Facilities Improvement	\$ 1,457,206
Q	C10038 Riffe Renovations	\$ 1,130,110
R	C10043 Williams County MARCS Tower Project	\$ 250,000
S	TOTAL Administrative Building Fund	\$ 31,690,459
T	TOTAL ALL FUNDS	\$ 57,540,459

**MARCS STEERING COMMITTEE AND STATEWIDE COMMUNICATIONS SYSTEM**

There is hereby continued a Multi-Agency Radio Communications System (MARCS) Steering Committee consisting of the designees of the Directors of Administrative Services, Public Safety, Natural Resources, Transportation, Rehabilitation and Correction, and Budget and Management, and the State Fire Marshal or the State Fire Marshal's designee. The Director of Administrative Services or the Director's designee shall chair the Committee. The Committee shall provide assistance to the Director of Administrative Services for effective and efficient operation of MARCS as well as develop policies for the ongoing management of the system.

The Committee shall establish a subcommittee to represent MARCS users on the local government level. The chairperson of the subcommittee shall serve as a member of the MARCS Steering Committee.

The foregoing appropriation item C10041, MARCS - Taxable, shall be used to purchase or construct the components of MARCS that are not specific to any one agency. The equipment may include, but is not limited to,

computer and telecommunications equipment used for the functioning and integration of the system, communications towers, tower sites, tower equipment, and linkages among towers. The Director of Administrative Services shall, with the concurrence of the MARCS Steering Committee, determine the specific use of funds. Expenditures from this appropriation shall not be subject to Chapters 123. and 153. of the Revised Code.

#### BUILDING IMPROVEMENT

The amount reappropriated for the foregoing appropriation item C10035, Building Improvement, is the unencumbered balance as of June 30, 2020, in appropriation item C10035, Building Improvement, plus \$14,532. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$14,532.

#### MARCS - TAXABLE

The amount reappropriated for the foregoing appropriation item C10041, MARCS - Taxable, is the unencumbered balance as of June 30, 2020, in appropriation item C10041, MARCS - Taxable, plus the unencumbered balance as of June 30, 2020, in appropriation item C10011, Statewide Communications System.

#### SOCC RENOVATIONS

The amount reappropriated for the foregoing appropriation item C10015, SOCC Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C10015, SOCC Renovations, plus \$79,082. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$79,082.

#### 25 S. FRONT STREET RENOVATIONS

The amount reappropriated for the foregoing appropriation item C10019, 25 S. Front Street Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C10019, 25 S. Front Street Renovations, plus \$1,218. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,218.

#### NORTH HIGH BUILDING COMPLEX RENOVATIONS

The amount reappropriated for the foregoing appropriation item C10020, North High Building Complex Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C10020, North High Building Complex Renovations, plus \$50,108. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the

Director of Budget and Management canceled encumbrances in the amount of at least \$50,108.

**OFFICE SPACE PLANNING**

The amount reappropriated for the foregoing appropriation item C10021, Office Space Planning, is the unencumbered balance as of June 30, 2020, in appropriation item C10021, Office Space Planning, plus \$17,305. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$17,305.

**WILLIAMS COUNTY MARCS TOWER PROJECT**

The amount reappropriated for the foregoing appropriation item C10043, Williams County MARCS Tower Project, is the unencumbered balance as of June 30, 2020, in appropriation item C10043, Williams County MARCS Tower Project, plus \$250,000.

**Section 215.10. AGR DEPARTMENT OF AGRICULTURE**

	1	2	3
A			Reappropriations
B	Administrative Building Fund (Fund 7026)		
C	C70007	Building and Grounds	\$ 800,000
D	C70024	Building #22 Renovation	\$ 1,000,000
E	C70028	Delaware County Fairgrounds Grandstand Improvements Project	\$ 50,000
F	C70029	Crawford County Fairgrounds Improvements	\$ 30,000
G	TOTAL Administrative Building Fund		\$ 1,880,000
H	Clean Ohio Agricultural Easement Fund (Fund 7057)		
I	C70009	Clean Ohio Agricultural Easement	\$ 25,000,000
J	TOTAL Clean Ohio Agricultural Easement		\$ 25,000,000
K	TOTAL ALL FUNDS		\$ 26,880,000

**BUILDING #22 RENOVATION**

The amount reappropriated for the foregoing appropriation item C70024,

Building #22 Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C70024, Building #22 Renovation, plus the unencumbered balance as of June 30, 2020, in appropriation item C70026, EPA Warehouse Facility.

**DELAWARE COUNTY FAIRGROUNDS GRANDSTAND IMPROVEMENTS PROJECT**

The amount reappropriated for the foregoing appropriation item C70028, Delaware County Fairgrounds Grandstand Improvements Project, is the unencumbered balance as of June 30, 2020, in appropriation item C70028, Delaware County Fairgrounds Grandstand Improvements Project, plus the unencumbered balance as of June 30, 2020, in appropriation item C23052, Little Brown Jug Facility Improvements.

**CRAWFORD COUNTY FAIRGROUNDS IMPROVEMENTS**

The amount reappropriated for the foregoing appropriation item C70029, Crawford County Fairgrounds Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C70029, Crawford County Fairgrounds Improvements, plus the unencumbered balance as of June 30, 2020, in appropriation item C23054, Bucyrus Historic Depot Renovations.

**Section 217.10. COM DEPARTMENT OF COMMERCE**

	1	2	3
A			Reappropriations
B	State Fire Marshal Fund (Fund 5460)		
C	C80023 SFM Renovations and Improvements		\$ 2,003,805
D	C80034 Fire Training Apparatus		\$ 191,631
E	TOTAL State Fire Marshal Fund		\$ 2,195,436
F	TOTAL ALL FUNDS		\$ 2,195,436

**Section 219.10. DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES**

	1	2	3
A			Reappropriations
B	Mental Health Facilities Improvement Fund (Fund 7033)		

C	C59004	Community Assistance Projects	\$ 10,000
D	C59034	Statewide Developmental Centers	\$ 1,000,000
E	C59064	Heinzerling Community Facilities	\$ 350,000
F	C59066	Children's Home Autism Building	\$ 1,000,000
G	TOTAL Mental Health Facilities Improvement Fund		\$ 2,360,000
H	TOTAL ALL FUNDS		\$ 2,360,000

**COMMUNITY ASSISTANCE PROJECTS**

Capital reappropriations in this act made from appropriation item C59004, Community Assistance Projects, may be used to provide community assistance funds for the development, purchase, construction, or renovation of facilities for day programs or residential programs that provide services to persons eligible for services from the Department of Developmental Disabilities or county boards of developmental disabilities and shall be distributed by the Department of Developmental Disabilities subject to Controlling Board approval.

The amount reappropriated for the foregoing appropriation item C59004, Community Assistance Projects, is the unencumbered balance as of June 30, 2020, in appropriation item C59004, Community Assistance Projects, plus \$1,198,710. Prior to the expenditure of this appropriation, the Department of Developmental Disabilities shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,198,710.

**STATEWIDE DEVELOPMENTAL CENTERS**

The amount reappropriated for the foregoing appropriation item C59034, Statewide Developmental Centers, is the unencumbered balance as of June 30, 2020, in appropriation item C59034, Statewide Developmental Centers, plus \$89,939. Prior to the expenditure of this appropriation, the Department of Developmental Disabilities shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$89,939.

**Section 221.10. MHA DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES**

A			Reappropriations
B		Mental Health Facilities Improvement Fund (Fund 7033)	
C	C58001	Community Assistance Projects	\$ 18,000,000
D	C58007	Infrastructure Renovations	\$ 2,000,000
E	C58033	Salvation Army of Greater Cleveland Harbor Light Complex	\$ 350,000
F	C58044	Alvis Women Community Reentry Project	\$ 50,000
G	C58046	Summer Entrepreneurial Experience and Knowledge	\$ 100,000
H	C58047	TVBH Campus Redevelopment	\$ 80,000
I	C58048	Community Resiliency Projects	\$ 6,500,000
J		TOTAL Mental Health Facilities Improvement Fund	\$ 27,080,000
K		TOTAL ALL FUNDS	\$ 27,080,000

**Section 221.13. COMMUNITY ASSISTANCE PROJECTS**

Capital reappropriations in this act made from appropriation item C58001, Community Assistance Projects, may be used for facilities constructed or to be constructed pursuant to Chapter 340., 5119., 5123., or 5126. of the Revised Code or the authority granted by section 154.20 and other applicable sections of the Revised Code and the rules issued pursuant to those chapters and that section and shall be distributed by the Department of Mental Health and Addiction Services subject to Controlling Board approval.

The amount reappropriated for the foregoing appropriation item C58001, Community Assistance Projects, is the unencumbered balance as of June 30, 2020, minus \$600,000. The foregoing appropriation item C58001, Community Assistance Projects, shall be used to support the projects listed in this section unless the amounts are distributed prior to June 30, 2020.

	1	2	3
A		Project List	
B	Cuyahoga County Mental Health Jail Diversion Facility		\$ 700,000



C	Cornerstone of Hope - Cuyahoga County	\$ 500,000
D	Lorain County Recovery One Center Renovation	\$ 500,000
E	Tri-County One Wellness Place Troy Facility	\$ 450,000
F	Portage County Detoxification and Residential Treatment Center	\$ 400,000
G	Phillis Wheatley Home for Youth Aging Out of Foster Care	\$ 350,000
H	Opiate Treatment Center at Western Reserve Area on Aging	\$ 300,000
I	Alvis House Opiate Addiction Treatment Center	\$ 300,000
J	Adams County Wilson Children's Home	\$ 250,000
K	Lake County Painesville Addiction Recovery Center	\$ 160,000
L	Maryhaven's Addiction Stabilization Center	\$ 125,000
M	Talbert House Glenway Outpatient Treatment Center Renovations	\$ 75,000
N	Child Focus Opiate Addiction Supervised Visitation Facility at Batavia	\$ 50,000

### **Section 221.15. INFRASTRUCTURE RENOVATIONS**

The amount reappropriated for the foregoing appropriation item C58007, Infrastructure Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C58007, Infrastructure Renovations, plus \$585,587, plus the unencumbered balance as of June 30, 2020, in appropriation items C58000, Hazardous Materials Abatement, C58004, Demolition, C58008, Emergency Improvements, and C58010, Campus Consolidation. Prior to the expenditure of this appropriation, the Department of Mental Health and Addiction Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$585,587.

### **Section 221.20. COMMUNITY RESILIENCY PROJECTS**

The foregoing appropriation item, C58048, Community Resiliency Projects, shall be used in support of the establishment, expansion, and renovation of programming spaces for individuals affected by behavioral health related issues, specifically targeting, to the extent possible, programming spaces for middle and high school age youth affected by behavioral health related issues.

Funds shall be awarded to projects through a process to be developed by the Department of Mental Health and Addiction Services that may take into account, but is not limited to, the following factors: the poverty rate of the community in which the facility is to be located, the breadth and nature of the plan to engage a broad spectrum of at-risk youth, support of community partners, readiness of the funding applicant to move forward with the project, and the array of supportive programming to be offered by the applicant. All projects shall comply with the community project standards and guidelines of the Department of Mental Health and Addiction Services.

**Section 223.10. DNR DEPARTMENT OF NATURAL RESOURCES**

	1	2	3
A			Reappropriations
B	Wildlife Fund (Fund 7015)		
C	C725K9 Wildlife Area Building Development/Renovation		\$ 10,000,000
D	TOTAL Wildlife Fund		\$ 10,000,000
E	Administrative Building Fund (Fund 7026)		
F	C725D5 Fountain Square Building and Telephone Improvement		\$ 1,000,000
G	C725D7 Multi-Agency Radio Communications Equipment		\$ 50,000
H	C725E0 DNR Fairgrounds Areas Upgrading		\$ 1,000
I	C725N7 District Office Renovations		\$ 1,000,000
J	TOTAL Administrative Building Fund		\$ 2,051,000
K	Ohio Parks and Natural Resources Fund (Fund 7031)		
L	C725E1 Local Parks Projects Statewide		\$ 1,200,000
M	C725E5 Project Planning		\$ 50,000
N	C725J0 Natural Areas and Preserves Maintenance Facility Development - Springville Carbon Rod Removal		\$ 400,000
O	C725K0 State Park Renovations/Upgrading		\$ 700,000
P	C725M0 Dam Rehabilitation		\$ 100,000
Q	C725N5 Wastewater/Water Systems Upgrades		\$ 500,000

R	C725T3 Healthy Lake Erie Initiative	\$ 2,000,000
S	TOTAL Ohio Parks and Natural Resources Fund	\$ 4,950,000
T	Parks and Recreation Improvement Fund (Fund 7035)	
U	C725A0 State Parks, Campgrounds, Lodges, Cabins	\$ 7,000,000
V	C725B5 Buckeye Lake Dam Rehabilitation	\$ 1,000
W	C725C4 Muskingum River Lock and Dam	\$ 2,000,000
X	C725E2 Local Parks, Recreation, and Conservation Projects	\$ 20,110,000
Y	C725E6 Project Planning	\$ 2,000,000
Z	C725L8 Statewide Trails Program	\$ 100,000
AA	C725N6 Wastewater/Water Systems Upgrades	\$ 3,500,000
AB	C725R3 State Parks Renovations/Upgrades	\$ 2,000,000
AC	C725R4 Dam Rehabilitation - Parks	\$ 4,000,000
AD	C725R5 Lake White State Park - Dam Rehabilitation	\$ 100,000
AE	C725U7 Eagle Creek Watershed Flood Mitigation	\$ 1,000
AF	TOTAL Parks and Recreation Improvement Fund	\$ 40,812,000
AG	Clean Ohio Trail Fund (Fund 7061)	
AH	C72514 Clean Ohio Trail Fund	\$ 1,100,000
AI	TOTAL Clean Ohio Trail Fund	\$ 1,100,000
AJ	Waterways Safety Fund (Fund 7086)	
AK	C725A7 Cooperative Funding for Boating Facilities	\$ 5,000,000
AL	C725N9 Operations Facilities	\$ 2,000,000
AM	TOTAL Waterways Safety Fund	\$ 7,000,000
AN	TOTAL ALL FUNDS	\$ 65,913,000

#### FEDERAL REIMBURSEMENT

All reimbursements received from the federal government for any expenditures made pursuant to this section shall be deposited in the state treasury to the credit of the fund from which the expenditure originated.

**Section 223.15. LOCAL PARKS, RECREATION, AND CONSERVATION PROJECTS**

The amount reappropriated from the foregoing appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, shall be equal to the amount of all unreleased local parks projects and allowable administrative costs specified in this section, unless amounts are released prior to June 30, 2020. Prior to the expenditure of this appropriation, the Department of Natural Resources shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$52,144.

Of the foregoing appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, an amount equal to two per cent of the projects listed may be used by the Department of Natural Resources for the administration of local projects.

	1	2	3
A	Project List		
B	Lakefront Pedestrian Bridge		\$ 3,500,000
C	Flats East Development		\$ 2,000,000
D	City of Cleveland - Lakefront Access Project		\$ 1,500,000
E	Bridge to Wendy Park		\$ 1,000,000
F	Worthington Pools Renovation		\$ 1,000,000
G	Dublin Bridge Park and Greenways Project		\$ 650,000
H	The REC at Crawford Commons Facility		\$ 500,000
I	Buckeye Lake Feeder Channel Restoration		\$ 400,000
J	Buckeye Lake Public Pier		\$ 400,000
K	Danny Thomas Park Renovation		\$ 400,000
L	Lincoln Park Stadium and Field Restoration		\$ 400,000
M	Miami Canal Trail Extension at Gilmore MetroPark		\$ 350,000
N	Dover Riverfront Trailhead Connector		\$ 350,000
O	Glenford Earthworks Phase III		\$ 300,000
P	Solon-Chagrin Falls Multi-purpose Trail		\$ 300,000
Q	Wadsworth City Park		\$ 300,000

R	Tiffin Recreation, Arts and Learning Park	\$ 300,000
S	Wooster Venture Boulevard Park Project	\$ 300,000
T	Muskingum River Lock and Dam	\$ 250,000
U	New Bremen Bike Path	\$ 250,000
V	Grand Lake Shoreline Water Quality Improvements	\$ 250,000
W	Jeffrey Mansion Expansion Project	\$ 250,000
X	Montgomery Gateway Keystone Park	\$ 250,000
Y	Village of Woodmere Chagrin Valley Gateway Pedestrian Trail	\$ 215,000
Z	Dayton Webster Station Landing	\$ 200,000
AA	Little Miami State Park/Little Miami Trail	\$ 200,000
AB	South Point Community Recreation Center	\$ 200,000
AC	Union and Rome Townships Trails Project	\$ 200,000
AD	Marion Tallgrass Trail	\$ 150,000
AE	Harrisburg Baseball Complex	\$ 150,000
AF	Mill Creek Valley Conservancy District Corridor Revitalization	\$ 150,000
AG	Moberly Branch Connector Trail - Pedestrian Bridge	\$ 150,000
AH	Montville Township Park Improvements	\$ 150,000
AI	Medina County Rocky River Trail West Branch	\$ 150,000
AJ	Clearcreek Hazel Woods Bike Connector	\$ 150,000
AK	Redskin Memorial Park Playground	\$ 145,000
AL	Cahoon Memorial Park Improvements	\$ 130,000
AM	Fairlawn Gully Water Quality Basins	\$ 125,000
AN	Bremenfest Shelterhouse	\$ 100,000
AO	Deer Park Community Center Renovation & Trailhead	\$ 100,000
AP	Fairfax Ziegler Park Improvements	\$ 100,000

AQ	Steubenville Ohio River Marina Improvement Project	\$ 100,000
AR	City of Sylvania SOMO Project	\$ 100,000
AS	Brunswick Hills Township Park	\$ 100,000
AT	Scippo Creek Conservation	\$ 75,000
AU	Jackson Street Pier and Shoreline Drive Revitalization Project	\$ 75,000
AV	Western Reserve Greenway Bike Trail	\$ 75,000
AW	Mary Fate Park Improvements	\$ 60,000
AX	Gallipolis Pool Project	\$ 52,144
AY	Miami Erie Canal Cleanup	\$ 50,000
AZ	James Day Park Warrior Run	\$ 50,000
BA	Jefferson Park Recreation Upgrades	\$ 50,000
BB	Rocky Fork State Park Water and Electrical Upgrade	\$ 50,000
BC	Avon Lake Veterans Park Gazebo	\$ 50,000
BD	Camp Sherman Park	\$ 50,000
BE	Willard Splash Pad and Park Improvements	\$ 50,000
BF	Bruce L. Chapin Bridge - Northcoast Inland Trail	\$ 45,000
BG	Beaver Park Sports Field	\$ 40,000
BH	Village of Highland Hills Gazebo	\$ 35,000
BI	Monroeville Clark Park - North Coast Inland Trail Connection	\$ 33,000
BJ	Camp McKinley Improvements	\$ 30,000
BK	Crestline Park Lighting	\$ 25,000
BL	Ohio City Warrior Trail Extension Phase 2	\$ 22,000
BM	Waverly Canal Park	\$ 20,000
BN	Clifton to Yellow Springs Bike Trail	\$ 20,000
BO	Waverly Canal Park	\$ 20,000
BP	Seville Memorial Park Public Restroom Facilities	\$ 15,000

BQ Hinkley Township Park	\$ 13,000
BR Shiloh Firestone Park Restoration	\$ 12,000
BS Village of Albany Bike Paths	\$ 10,000

**Section 223.20.** For the projects for which reappropriations are made in this act from the Parks and Recreation Improvement Fund (Fund 7035), the Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department of Natural Resources for each project. Based on the estimates, the Director of Budget and Management may release appropriations from appropriation item C725E6, Project Planning, within Fund 7035, to pay for design, planning, and engineering costs incurred by the Department of Natural Resources for the projects. Upon release of the appropriations by the Director of Budget and Management, the Department of Natural Resources shall pay for these expenses from the Parks Capital Expenses Fund (Fund 2270), and be reimbursed by Fund 7035 using an intrastate voucher.

**Section 223.30.** For the projects for which reappropriations are made in this act from the Ohio Parks and Natural Resources Fund (Fund 7031), the Ohio Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department of Natural Resources for each project. Based on those estimates, the Director of Budget and Management may release appropriations from appropriation item C725E5, Project Planning, within Fund 7031 to pay for design, planning, and engineering costs incurred by the Department of Natural Resources for the projects. Upon release of the appropriations by the Director of Budget and Management, the Department of Natural Resources shall pay for these expenses from the Capital Expenses Fund (Fund 4S90) and be reimbursed by Fund 7031 using an intrastate voucher.

**Section 225.10. DOT DEPARTMENT OF TRANSPORTATION**

	1	2	3
A			Reappropriations
B	Administrative Building Fund (Fund 7026)		
C	C77706	Allen County Building Demolition, Maintenance, or Construction	\$ 200,000

D	TOTAL Administrative Building Fund	\$ 200,000
E	Transportation Building Fund (Fund 7029)	
F	C77705 Statewide Land and Buildings	\$ 25,000,000
G	TOTAL Transportation Building Fund	\$ 25,000,000
H	TOTAL ALL FUNDS	\$ 25,200,000

STATEWIDE LAND AND BUILDINGS

The amount reappropriated for the foregoing appropriation item C77705, Statewide Land and Buildings, is the unencumbered balance as of June 30, 2020, in appropriation item C77705, Statewide Land and Buildings, plus \$5,000,000. Prior to the expenditure of this appropriation, the Department of Transportation shall certify to the Director of Budget and Management lapsed prior year appropriation of at least \$5,000,000.

**Section 227.10. DPS DEPARTMENT OF PUBLIC SAFETY**

	1	2	3
A			Reappropriations
B	Administrative Building Fund (Fund 7026)		
C	C76035 Alum Creek Facility Renovations and Upgrades		\$ 500,000
D	C76036 Shipley Building Renovations and Improvements		\$ 292,409
E	C76044 OSHP Headquarters/Post Renovations and Improvements		\$ 700,000
F	C76045 OSHP Academy Renovations and Improvements		\$ 85,591
G	C76049 EMA Building Renovations and Improvements		\$ 12,702
H	C76050 OSHP Dispatch Center Renovations and Improvements		\$ 500,000
I	C76060 Medina County Safety Services Complex		\$ 400,000



J	C76061 Warren County Drug Taskforce Headquarters	\$ 500,000
K	C76067 Radiological Calibration Laboratory Relocation	\$ 850,000
L	TOTAL Administrative Building Fund	\$ 3,840,702
M	TOTAL ALL FUNDS	\$ 3,840,702

**OSHP HEADQUARTERS/POST RENOVATIONS AND IMPROVEMENTS**

The amount reappropriated for the foregoing appropriation item C76044, OSHP Headquarters/Post Renovations and Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C76044, OSHP Headquarters/Post Renovations and Improvements, plus the unencumbered balance as of June 30, 2020, in appropriation item C76043, Minor Capital Projects.

**Section 229.10. DRC DEPARTMENT OF REHABILITATION AND CORRECTION**

	1	2	3
A			Reappropriations
B	Adult Correctional Building Fund (Fund 7027)		
C	C50100 Local Jails		\$ 4,525,000
D	C50101 Community-Based Correctional Facilities		\$ 13,602,598
E	C50105 Water System/Plant Improvements		\$ 2,000,000
F	C50114 Community Residential Program		\$ 1,219,535
G	C50136 General Building Renovations		\$ 10,000,000
H	TOTAL Adult Correctional Building Fund		\$ 31,347,133
I	TOTAL ALL FUNDS		\$ 31,347,133

**COMMUNITY-BASED CORRECTIONAL FACILITIES**

The amount reappropriated for the foregoing appropriation item C50101, Community-Based Correctional Facilities, is the unencumbered balance as of June 30, 2020, in appropriation item C50101, Community-Based Correctional Facilities, plus \$222,864. Prior to the expenditure of this appropriation, the Department of Rehabilitation and Correction shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$222,864.

**WATER SYSTEM/PLANT IMPROVEMENTS**

The amount reappropriated for the foregoing appropriation item C50105, Water System/Plant Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C50105, Water System/Plant Improvements, plus \$12,983. Prior to the expenditure of this appropriation, the Department of Rehabilitation and Correction shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$12,983.

**COMMUNITY RESIDENTIAL PROGRAM**

The amount reappropriated for the foregoing appropriation item C50114, Community Residential Program, is the unencumbered balance as of June 30, 2020, in appropriation item C50114, Community Residential Program, plus \$9,549. Prior to the expenditure of this appropriation, the Department of Rehabilitation and Correction shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$9,549.

**GENERAL BUILDING RENOVATIONS**

The amount reappropriated for the foregoing appropriation item C50136, General Building Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C50136, General Building Renovations, plus \$3,289,709. Prior to the expenditure of this appropriation, the Department of Rehabilitation and Correction shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$3,289,709.

**Section 229.20. LOCAL JAILS**

The amount reappropriated for the foregoing appropriation item C50100, Local Jails, shall be equal to the amount of all projects specified in this section, unless the amounts are released prior to June 30, 2020.

	1	2	3
A	Project List		
B	Hamilton County Justice Center Capacity and Recovery Expansion		\$ 2,500,000

C	Warren County Jail Interceptor Center	\$ 750,000
D	Barberton Municipal Jail	\$ 500,000
E	Columbiana County Jail	\$ 250,000
F	Fayette County Adult Detention Facility	\$ 225,000
G	Tuscarawas County Jail	\$ 200,000
H	Allen County Jail Facility	\$ 100,000

**Section 229.25. COMMUNITY-BASED CORRECTIONAL FACILITIES**

For capital reappropriations in this act made from appropriation item C50101, Community-Based Correctional Facilities, the Department of Rehabilitation and Correction shall designate the projects involving the construction and renovation of single-county and district community-based correctional facilities.

The Department of Rehabilitation and Correction may review and approve the renovation and construction of projects for which funds are provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated and approved by the Department of Rehabilitation and Correction.

The Department of Rehabilitation and Correction shall adopt guidelines to accept and review applications and designate projects. The guidelines shall require the county or counties to justify the need for the facility and to comply with timelines for the submission of documentation pertaining to the site, program, and construction.

**Section 229.30. COMMUNITY RESIDENTIAL PROGRAM RENOVATIONS**

Capital reappropriations in this act made from appropriation item C50114, Community Residential Program, may be used by the Department of Rehabilitation and Correction, pursuant to sections 5120.103 to 5120.105 of the Revised Code, to provide for the construction or renovation of halfway house facilities for offenders eligible for community supervision by the Department of Rehabilitation and Correction.

**Section 231.10. DVS DEPARTMENT OF VETERANS SERVICES**

B	Nursing Home – Federal Fund (Fund 3190)	
C	C90067 S-Veterans Hall HVAC Mechanical Upgrade	\$ 81,784
D	C90074 Sandusky Renovation Federal	\$ 3,172,190
E	C90077 Georgetown Renovation Federal	\$ 1,330,575
F	C90082 Information Technology Federal	\$ 778,260
G	TOTAL Nursing Home - Federal Fund	\$ 5,362,809
H	Veterans' Home Improvement Fund (Fund 6040)	
I	C90066 S-Veterans Hall HVAC Mechanical Upgrade	\$ 44,037
J	C90075 Sandusky Renovation State	\$ 2,333,498
K	C90078 Georgetown Renovation State	\$ 716,463
L	TOTAL Veterans' Home Improvement Fund	\$ 3,093,998
M	TOTAL ALL FUNDS	\$ 8,456,807

**Section 233.10. DYS DEPARTMENT OF YOUTH SERVICES**

	1	2	3
A			Reappropriations
B	Juvenile Correctional Building Fund (Fund 7028)		
C	C47001 Fire Suppression, Safety, and Security		\$ 500,000
D	C47002 General Institutional Renovations		\$ 1,000,000
E	C47003 Community Rehabilitation Centers		\$ 280,275
F	C47007 Local Juvenile Detention Centers		\$ 93,000
G	C47025 Cuyahoga Housing Replacement		\$ 6,981,385
H	C47027 Ashtabula Juvenile Court Resources and Reporting Center Improvements		\$ 500,000
I	TOTAL Juvenile Correctional Building Fund		\$ 9,354,660
J	TOTAL ALL FUNDS		\$ 9,354,660

**FIRE SUPPRESSION/SAFETY/SECURITY**

The amount reappropriated for the foregoing appropriation item C47001, Fire Suppression/Safety/Security, is the unencumbered balance as of June 30, 2020, in appropriation item C47001, Fire Suppression/Safety/Security, plus \$206,479. Prior to the expenditure of this appropriation, the Department of Youth Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$206,479.

**Section 233.20. COMMUNITY REHABILITATION CENTERS**

For capital reappropriations in this act made from appropriation item C47003, Community Rehabilitation Centers, the Department of Youth Services shall designate the projects involving the construction and renovation of single-county and multicounty community corrections facilities.

The Department of Youth Services may review and approve the renovation and construction of projects for which funds are provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated and approved by the Department of Youth Services.

The Department of Youth Services shall adopt guidelines to accept and review applications and designate projects. The guidelines shall require the county or counties to justify the need for the facility and to comply with timelines for the submission of documentation pertaining to the site, program, and construction.

For purposes of this section, "community corrections facilities" has the same meaning as in section 5139.36 of the Revised Code.

**Section 233.30. LOCAL JUVENILE DETENTION CENTERS**

For capital appropriations or reappropriations in this act made from appropriation item C47007, Local Juvenile Detention Centers, the Department of Youth Services shall designate the projects involving the construction and renovation of county and multicounty juvenile detention centers.

The Department of Youth Services may review and approve the renovation and construction of projects for which funds are provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated by the Department of Youth Services.

The Department of Youth Services shall comply with the guidelines set forth in this section, accept and review applications, designate projects, and determine the amount of state match funding to be applied to each project. The department shall, with the advice of the county or counties participating in a project, determine the funded design capacity of the detention centers that are designated to receive funding. Notwithstanding any provisions to the

contrary contained in Chapter 153. of the Revised Code, the Department of Youth Services may coordinate, review, and monitor the drawdown and use of funds for the renovation and construction of projects for which designated funds are provided.

(A) The Department of Youth Services shall develop a formula to determine the amount, if any, of state match that may be provided to a single county or multicounty detention center project.

(B) The formula developed by the Department of Youth Services shall yield a percentage of state match ranging from zero to sixty per cent. The funding authorized under this section that may be applied to a construction or renovation project shall not exceed the actual cost of the project.

The funding authorized under this section shall not be applied to any project unless the detention center will be built in compliance with health, safety, and security standards for detention centers as established by the Department of Youth Services. In addition, the funding authorized under this section shall not be applied to the renovation of a detention center unless the renovation is for the purpose of increasing the number of beds in the center, or to meet health, safety, or security standards for detention centers as established by the Department of Youth Services.

**Section 234.10. DEV DEVELOPMENT SERVICES AGENCY**

	1	2	3
A			Reappropriations
B	Coal Research and Development Fund (Fund 7046)		
C	C19505 Coal Research and Development		\$ 5,500,000
D	TOTAL Coal Research and Development Fund		\$ 5,500,000
E	Service Station Cleanup Fund (Fund 7100)		
F	C19507 Service Station Cleanup		\$ 3,500,000
G	TOTAL Service Station Cleanup Fund		\$ 3,500,000
H	TOTAL ALL FUNDS		\$ 9,000,000

**Section 234.20. SERVICE STATION CLEANUP FUND**

(A) For purposes of this section:

(1) "Political subdivision" means a county, municipal corporation,

township, port authority, or a county land reutilization corporation organized under Chapter 1724. of the Revised Code.

(2) "Class C release" has the same meaning as in section 3737.87 of the Revised Code.

(3) "Property assessment" means a property assessment conducted in accordance with section 3746.04 of the Revised Code or a corrective action process or source investigation process under section 1301:7-9-13 of the Ohio Administrative Code.

(4) "Property owner" means a political subdivision, an organization that owns publicly owned lands, or, with respect to land forfeited to the state under Chapter 5723. of the Revised Code, a county land reutilization corporation.

(5) "Cleanup or remediation" means any action at a Class C release site to contain, remove, or dispose of petroleum or other hazardous substances or remove underground storage tanks used to store petroleum or other hazardous substances.

(6) "Publicly owned lands" includes lands that are owned by an organization that has entered into a relevant agreement with a political subdivision and lands forfeited to the state under Chapter 5723. of the Revised Code.

(B) The Abandoned Gas Station Cleanup Grant Program is established in the Development Services Agency for the purpose of cleanup and remediation of Class C release sites to provide for and enable the environmentally safe and productive reuse of publicly owned lands by the remediation or cleanup, or planning and assessment for that remediation or cleanup, of contamination or by addressing property conditions or circumstances that may be deleterious to public health and safety or the environment or that preclude or inhibit environmentally sound or economic reuse of the property as authorized by Section 2o of Article VIII, Ohio Constitution. Under this program, the Director of Development Services may do either or both of the following:

(1) Award a grant of up to \$100,000 to a property owner for purposes of a property assessment on a Class C release site;

(2) Award a grant of up to \$500,000 to a property owner for purposes of cleanup or remediation of a Class C release site.

Grants under divisions (B)(1) and (2) of this section shall be used by a property owner to create a site that provides opportunities for economic impact through redevelopment. The Director of Development Services may consult with the Environmental Protection Agency, the State Fire Marshal, the Ohio Water Development Authority, and the Ohio Public Works Commission in connection with this program and the awarding of these grants. Sections

122.651 to 122.658 of the Revised Code do not apply to this program.

(C) A property owner applying for a grant under division (B)(1) or (2) of this section shall submit an application for the grant on a form prescribed by the Director of Development Services.

An authorized representative of the property owner shall sign and submit an affidavit with the application certifying that the property owner did not cause or contribute to any prior release of petroleum or other hazardous substances on the site.

Upon receipt of an application, the Director shall examine the application and all accompanying information to determine if the application is complete. If the Director determines that the application is not complete, the Director shall promptly notify the property owner that the application is not complete, provide a description of the information that is missing from the application, and return the application and all accompanying information to the property owner. The property owner may resubmit the application.

If the Director approves an application under this section, the Director may enter into an agreement with the property owner to award a grant to the property owner. The agreement shall be executed prior to paying or disbursing any grant funds approved by the Director under this section. With respect to a grant awarded to a county land reutilization corporation for land that has been forfeited to the state under Chapter 5723. of the Revised Code, the agreement shall require that the land be transferred to the corporation prior to the payment or disbursement of the grant funds.

**Section 235.10. EXP EXPOSITIONS COMMISSION**

	1	2	3
A			Reappropriations
B	Administrative Building Fund (Fund 7026)		
C	C72305 Facility Improvements and Modernization		\$ 243,084
D	C72312 Renovations and Equipment Replacement		\$ 300,000
E	TOTAL Administrative Building Fund		\$ 543,084
F	TOTAL ALL FUNDS		\$ 543,084

**Section 237.10. FCC FACILITIES CONSTRUCTION COMMISSION**



	1	2	3
A			Reappropriations
B	Capital Donations Fund (Fund 5A10)		
C	C230E2	Capital Donations	\$ 1,798,801
D	TOTAL Capital Donations Fund		\$ 1,798,801
E	Public School Building Fund (Fund 7021)		
F	C23001	Public School Buildings	\$ 37,000,000
G	C230W4	Community School Classroom Facilities Assistance	\$ 11,964,763
H	TOTAL Public School Building Fund		\$ 48,964,763
I	Administrative Building Fund (Fund 7026)		
J	C23016	Energy Conservation Project	\$ 2,198,308
K	C230E3	Hazardous Substance Abatement	\$ 432,652
L	C230E5	State Agency Planning/Assessment	\$ 941,444
M	TOTAL Administrative Building Fund		\$ 3,572,404
N	Cultural and Sports Facilities Building Fund (Fund 7030)		
O	C23028	OHS - Basic Renovations and Emergency Repairs	\$ 729,979
P	C23036	The Anchorage	\$ 50,000
Q	C23039	Malinta Historical Society Caboose Exhibit	\$ 6,000
R	C23057	OHS - Online Portal to Ohio's Heritage	\$ 1,000
S	C23062	Village of Edinburg Veterans Memorial	\$ 35,000
T	C23066	Variety Theater	\$ 85,000
U	C23072	Madisonville Arts Center of Hamilton County	\$ 36,000
V	C230AB	Cleveland Music Hall	\$ 400,000
W	C230AE	Variety Theatre	\$ 250,000
X	C230AG	Darke County Historical Society Garst	\$ 150,000

## Museum Parking Lot

Y	C230AH Longtown Clemens Farmstead Museum	\$ 90,000
Z	C230AN Village of Buckeye Lake Corridor Improvements	\$ 125,000
AA	C230AU Charleen and Charles Hinson Amphitheater	\$ 1,000,000
AB	C230AZ Madcap Productions - New Madcap Puppet Theater	\$ 200,000
AC	C230BB Golf Manor Volunteer Park Outdoor Amphitheater	\$ 45,000
AD	C230BF Malinta Ohio Historical Site Rehabilitation	\$ 19,000
AE	C230BL Fairport Harbor Lighthouse Project	\$ 200,000
AF	C230BR Amherst Historical Water Tower Project	\$ 40,000
AG	C230BV Downtown Toledo Music Hall	\$ 400,000
AH	C230CH Mt. Perry Scenic Railroad Structure Renovations	\$ 125,000
AI	C230CL Everts Community & Arts Center	\$ 200,000
AJ	C230CM Waverly Old Children's Home Renovation	\$ 20,000
AK	C230CN Garrettsville Buckeye Block Community Theatre	\$ 700,000
AL	C230DL Marysville Avalon Theatre Renovations	\$ 300,000
AM	C230DU Kister Water Mill and Education Center	\$ 200,000
AN	C230DV Wayne Center for the Arts	\$ 150,000
AO	C230EC Triumph of Flight	\$ 250,000
AP	C230EF Dayton Aviation Park	\$ 1,000,000
AQ	C230EN OHS - Collections Storage Facilities Expansion	\$ 14,828,000

AR	C230FM Cultural and Sports Facilities Projects	\$ 48,086,000
AS	C230J6 West Side Market Renovation	\$ 500,000
AT	C230J7 Cardinal Center	\$ 75,000
AU	C230K3 African-American Legacy Project	\$ 75,000
AV	C230L3 Harmony Project	\$ 300,000
AW	C230N5 Logan Theater	\$ 25,000
AX	C230P3 Sterling Theater Revitalization Project	\$ 72,000
AY	C230Q4 Toledo Repertoire Theatre	\$ 150,000
AZ	C230Q8 Stambaugh Auditorium	\$ 1,000,000
BA	C230R5 Wright Company Factory Project	\$ 250,000
BB	C230R8 National Ceramic Museum and Heritage Center Renovation	\$ 100,000
BC	C230X8 Riverside Veterans Memorial	\$ 15,000
BD	C230Y6 Ashtabula Maritime and Surface Transportation Museum	\$ 100,000
BE	C230Y7 Ashtabula Covered Bridge Festival Entertainment Pavilion	\$ 100,000
BF	C230Z8 Brooklyn John Frey Park	\$ 90,000
BG	TOTAL Cultural and Sports Facilities Building Fund	\$ 72,572,979
BH	School Building Program Assistance Fund (Fund 7032	
BI	C23002 School Building Program Assistance	\$ 56,300,000
BJ	C23011 Corrective Action Program Grants	\$ 2,331,865
BK	C23018 STEM Facility Assistance	\$ 20,000
BL	TOTAL School Building Program Assistance Fund	\$ 58,651,865
BM	TOTAL ALL FUNDS	\$ 185,560,812

OHS - ONLINE PORTAL TO OHIO'S HERITAGE

The amount reappropriated for the foregoing appropriation item C23057,

OHS - Online Portal to Ohio's Heritage, is the unencumbered balance as of June 30, 2020, in appropriation item C23057, OHS - Online Portal to Ohio's Heritage, plus \$10,123. Prior to the expenditure of this appropriation, the Facilities Construction Commission shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,123.

**PUBLIC SCHOOL BUILDINGS**

The amount reappropriated for the foregoing appropriation item C23001, Public School Buildings, is the unencumbered balance as of June 30, 2020, in appropriation item C23001, Public School Buildings, plus the unencumbered balance as of June 30, 2020, in appropriation item C230X9, Lead Plumbing Fixture Replacement.

**Section 237.13. STATE AGENCY PLANNING/ASSESSMENT**

Capital reappropriations in this act made from appropriation item C230E5, State Agency Planning/Assessment, shall be used by the Facilities Construction Commission to provide assistance to any state agency for assessment, capital planning, and maintenance management.

**Section 237.15. CULTURAL AND SPORTS FACILITIES PROJECTS**

The amount reappropriated from the foregoing appropriation item C230FM, Cultural and Sports Facilities Projects, shall be equal to the amount of all projects specified in this section, unless the amounts are released prior to June 30, 2020.

	1	2	3
A	Project List		
B	Columbus Crew SC Stadium		\$ 20,000,000
C	FC Cincinnati Stadium		\$ 4,000,000
D	Cleveland Museum of Natural History Phase II		\$ 2,500,000
E	Cleveland Museum of Art Holden Terrace		\$ 1,250,000
F	Cincinnati Playhouse in the Park Theater Project		\$ 1,200,000
G	Playhouse Square Parking District Improvement		\$ 1,000,000
H	BalletMet Renovation and Building Connector		\$ 1,000,000
I	North Market Grand Atrium		\$ 1,000,000
J	Cincinnati Art Museum Building Envelope		\$ 1,000,000

Improvements

K	Imagination Station Theater Experience	\$ 1,000,000
L	Dayton Arcade Innovation Hub	\$ 1,000,000
M	Playhouse Square Theater Improvements	\$ 850,000
N	Renaissance of Duncan Plaza	\$ 750,000
O	Akron Civic Theater Restoration and Expansion	\$ 675,000
P	Holmes County Center for the Arts Facility	\$ 600,000
Q	Ohio Aviation Hall of Fame	\$ 550,000
R	Flats East Bank Performance Stage	\$ 500,000
S	King Arts Complex Renovations	\$ 500,000
T	SeaGate Convention Centre Renovation	\$ 500,000
U	Majestic Theater	\$ 500,000
V	Kettering Rosewood Arts Center Renovation	\$ 450,000
W	Restoration of John Brown House	\$ 400,000
X	Lake View Cemetery Garfield Memorial Preservation	\$ 350,000
Y	Mazza Museum S.T.E.(A.)M. Exhibit Gallery	\$ 350,000
Z	Lynchburg Covered Bridge	\$ 350,000
AA	Kister Water Mill and Education Center Improvements	\$ 350,000
AB	Dublin North Market Bridge Park	\$ 350,000
AC	LaSalle Arts & Media Center Redevelopment	\$ 300,000
AD	National Museum of the Great Lakes Expansion	\$ 300,000
AE	Ashtabula Lighthouse Restoration & Preservation	\$ 280,000
AF	Gordon Square Arts District Theatre Renovations	\$ 250,000
AG	Yoctangee Park Historic Armory	\$ 250,000
AH	Hale Farm & Village Capital Improvement Project	\$ 250,000
AI	Springboro Performing Arts Center	\$ 250,000
AJ	World Heritage and Visitor Center	\$ 230,000

AK Delaware Arts Castle Improvements	\$ 225,000
AL Wellston Pride Park Depot	\$ 225,000
AMLilly Weston House Improvements	\$ 200,000
AN Upper Arlington Veterans Memorial	\$ 200,000
AO Wolcott House Heritage Center	\$ 200,000
AP Peninsula Grand Army of the Republic Hall Improvements	\$ 200,000
AQ Van Wert County Niswonger Performing Arts Center	\$ 200,000
AR Unionville Tavern Restoration Structural Rehabilitation	\$ 185,000
AS Cozad-Bates House Interpretive Center and Cultural Park Renovations	\$ 180,000
AT Wright Factory Unit - Dayton	\$ 175,000
AU Village of Genoa Civic Theater Renovations	\$ 150,000
AV Williams County Fountain City Amphitheatre Park	\$ 150,000
AWEvendale Cultural Arts Center ADA Compliance	\$ 125,000
AX Lorain County Historical Society	\$ 112,000
AY Cleveland Museum of Contemporary Art	\$ 100,000
AZ Levi Scofield Mansion Transformation	\$ 100,000
BA El Mercado at La Villa Hispana Cultural Revitalization	\$ 100,000
BB Mayfield Civic Center Theater Renovation	\$ 100,000
BC Leesburg Historic B & O Rail Depot	\$ 100,000
BD The Funk Music Hall of Fame & Exhibition Center	\$ 100,000
BE Jacob Miller's Tavern Renovation	\$ 100,000
BF Morris-Sharp Estate Restoration Project	\$ 75,000
BG Mantua Township Historic Building Upgrades	\$ 75,000
BH Medina County and Brunswick Historical	\$ 64,000

## Societies Project

BI Motts Military Museum - Improvements	\$ 50,000
BJ Clark Gable Facility Improvements	\$ 50,000
BK Tiffin History Museum Improvements	\$ 50,000
BL Avalon Uptown Theatre Restoration	\$ 50,000
BM Platt R. Spencer House Preservation	\$ 25,000
BN Bucyrus Bicentennial Arch Project	\$ 25,000
BO Fairborn Military Veterans Memorial	\$ 25,000
BP 1872 German Furniture Factory Project	\$ 25,000
BQ French Art Colony Renovations	\$ 15,000

**Section 237.20. SCHOOL BUILDING PROGRAM ASSISTANCE**

Capital reappropriations in this act made from appropriation item C23002, School Building Program Assistance, shall be used by the Facilities Construction Commission to provide funding to school districts that receive conditional approval from the Commission pursuant to Chapter 3318. of the Revised Code.

**Section 237.30. CORRECTIVE ACTION PROGRAM GRANTS**

The foregoing appropriation item C23011, Corrective Action Program Grants, may be used to provide funding to bring facilities up to Ohio School Design Manual standards for a project funded pursuant to sections 3318.01 to 3318.20 or 3318.40 to 3318.45 of the Revised Code for the correction of work that is found after occupancy of the facility to be defective, or to have been omitted. Funding shall only be provided for work if the impacted school district notifies the Executive Director of the Ohio Facilities Construction Commission within five years after occupancy of the facility for which the district seeks the funding. The Commission may provide funding assistance necessary to take corrective measures after evaluating defective or omitted work. If the work to be corrected or remediated is part of a project not yet completed, the Commission may amend the project agreement to increase the project budget and use corrective action funding to provide the state portion of the amendment. If the work to be corrected or remediated was part of a completed project and funds were retained or transferred pursuant to division (C) of section 3318.12 of the Revised Code, the Commission may enter into a new agreement to address the necessary corrective action. The Commission shall assess responsibility for the defective or omitted work and seek cost

recovery from responsible parties, if applicable. Any funds recovered shall be applied first to the district portion of the cost of the corrective action. Any remaining funds shall be applied to the state portion and deposited into the School Building Program Assistance Fund (Fund 7032).

#### HAZARDOUS SUBSTANCE ABATEMENT IN STATE FACILITIES

The foregoing appropriation item C230E3, Hazardous Substance Abatement, shall be used to fund the removal of asbestos, PCB, radon gas, and other contamination hazards from state facilities.

Prior to the release of funds for asbestos abatement, the Ohio Facilities Construction Commission shall review proposals from state agencies to use these funds for asbestos abatement projects based on criteria developed by the Ohio Facilities Construction Commission. Upon a determination by the Ohio Facilities Construction Commission that the requesting agency cannot fund the asbestos abatement project or other toxic materials removal through existing capital and operating appropriations, the Commission may request the release of funds for such projects by the Controlling Board. State agencies intending to fund asbestos abatement or other toxic materials removal through existing capital and operating appropriations shall notify the Executive Director of the Ohio Facilities Construction Commission of the nature and scope prior to commencing the project.

Only agencies that have received appropriations for capital projects from the Administrative Building Fund (Fund 7026) are eligible to receive funding from this item. Public school districts are not eligible.

#### ENERGY CONSERVATION PROJECT

The foregoing appropriation item C23016, Energy Conservation Project, shall be used to perform energy conservation renovations, including the United States Environmental Protection Agency's Energy Star Program, in state-owned facilities. Prior to the release of funds for renovation, state agencies shall have performed a comprehensive energy audit for each project. The Ohio Facilities Construction Commission shall review and approve proposals from state agencies to use these funds for energy conservation. Public school districts and state-supported and state-assisted institutions of higher education are not eligible for funding from this item.

#### **Section 237.40.** COMMUNITY SCHOOL CLASSROOM FACILITIES GRANTS

The foregoing appropriation item C230W4, Community School Classroom Facilities Grants, may be used by the Facilities Construction Commission to provide grant funding to an eligible high-performing community school established under Chapter 3314. of the Revised Code.



For purposes of this section, an "eligible high-performing community school" means a community school that has available and has certified it will supply, at least fifty per cent of the cost of the project funded under this section and that meets the following other conditions:

(A) Except as provided in division (B) or (C) of this section, the school both:

(1) Has received a grade of "A," "B," or "C" for the performance index score under division (C)(1)(b) of section 3302.03 of the Revised Code or has increased its performance index score under division (C)(1)(b) of section 3302.03 of the Revised Code in each of the previous three years of operation; and

(2) Has received a grade of "A" or "B" for the value-added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code on its most recent report card rating issued under that section.

(B) If the school serves only grades kindergarten through three, the school received a grade of "A" or "B" for making progress in improving literacy in grades kindergarten through three under division (C)(1)(g) of section 3302.03 of the Revised Code on its most recent report card issued under that section.

(C) If the school primarily serves students enrolled in a dropout prevention and recovery program as described in division (A)(4)(a) of section 3314.35 of the Revised Code, the school received a rating of "exceeds standards" on its most recent report card issued under section 3314.017 of the Revised Code.

Notwithstanding the definition of an eligible high-performing community school under divisions (A) to (C) of this section, a newly established community school may be eligible for assistance under this section, if it is implementing a community school model that has a track record of high quality academic performance, as determined by the Department of Education.

The foregoing appropriation may be used for the purchase, construction, reconstruction, renovation, remodeling, or addition to classroom facilities. A grant may be awarded to an eligible high-performing community school that demonstrates that the funds will be used to purchase or support classroom facilities construction or modifications that increase the supply of seats in effective schools, service specific unmet student needs through community school education, and show innovation in design and potential as a successful, replicable school model. The Facilities Construction Commission may award a grant to an eligible high-performing community school upon the approval of a grant application by the Executive Director of the Commission and the Superintendent of Public Instruction. A facility that is purchased, constructed, or modified by the grant funds shall be used for educational purposes for a

minimum of ten years after receiving the grant funds. The Facilities Construction Commission, in consultation with the Superintendent of Public Instruction, shall develop guidelines and may adopt rules under Chapter 111. of the Revised Code for the administration of the grants, including provisions for the ownership and disposal of the facilities funded under this section in the event the community school closes at any time. Notwithstanding any provision of law to the contrary, all Revised Code exemptions applicable to grants awarded and projects administered by the Facilities Construction Commission shall apply to the grants pursuant to this section.

**Section 239.10. JFS DEPARTMENT OF JOB AND FAMILY SERVICES**

	1	2	3
A			Reappropriations
B	Special Administrative Fund (Fund 4A90)		
C	C60005	Youngstown Office Improvements	\$ 723,820
D	C60007	Lima Office Improvements	\$ 512,126
E	C60009	Central Office Improvements	\$ 391,300
F	TOTAL Special Administrative Fund		\$ 1,627,246
G	TOTAL ALL FUNDS		\$ 1,627,246

**Section 241.10. JSC JUDICIARY SUPREME COURT**

	1	2	3
A			Reappropriations
B	Administrative Building Fund (Fund 7026)		
C	C00502	General Building Renovations	\$ 200,000
D	TOTAL Administrative Building Fund		\$ 200,000
E	TOTAL ALL FUNDS		\$ 200,000

**Section 243.10. PWC PUBLIC WORKS COMMISSION**

1	2	3
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A		Reappropriations
B	State Capital Improvements Fund (Fund 7038)	
C	C15000 Local Public Infrastructure	\$ 1,004,000
D	C15001 Infrastructure - District 1	\$ 31,214,552
E	C15002 Infrastructure - District 2	\$ 13,860,322
F	C15003 Infrastructure - District 3	\$ 26,791,311
G	C15004 Infrastructure - District 4	\$ 9,944,295
H	C15005 Infrastructure - District 5	\$ 8,317,110
I	C15006 Infrastructure - District 6	\$ 10,035,543
J	C15007 Infrastructure - District 7	\$ 10,737,598
K	C15008 Infrastructure - District 8	\$ 17,683,859
L	C15009 Infrastructure - District 9	\$ 7,842,900
M	C15010 Infrastructure - District 10	\$ 13,440,169
N	C15011 Infrastructure - District 11	\$ 10,236,035
O	C15012 Infrastructure - District 12	\$ 8,773,043
P	C15013 Infrastructure - District 13	\$ 6,637,312
Q	C15014 Infrastructure - District 14	\$ 6,432,288
R	C15015 Infrastructure - District 15	\$ 7,376,287
S	C15016 Infrastructure - District 16	\$ 8,173,105
T	C15017 Infrastructure - District 17	\$ 9,210,404
U	C15018 Infrastructure - District 18	\$ 6,805,211
V	C15019 Infrastructure - District 19	\$ 7,068,148
W	C15020 Emergency Set Aside	\$ 5,969,609
X	C15022 Ohio Small Government Capital Improvement	\$ 24,603,746
Y	TOTAL State Capital Improvement Fund	\$ 252,156,847
Z	State Capital Improvements Revolving Loan Fund (Fund 7040)	
AA	C15030 Revolving Loan	\$ 6,132,884
AB	C150RA Revolving Loan Fund-District 1	\$ 12,779,521

AC	C150RB	Revolving Loan Fund-District 2	\$ 10,052,786
AD	C150RC	Revolving Loan Fund-District 3	\$ 11,342,421
AE	C150RD	Revolving Loan Fund-District 4	\$ 6,616,453
AF	C150RE	Revolving Loan Fund-District 5	\$ 2,687,929
AG	C150RF	Revolving Loan Fund-District 6	\$ 6,521,841
AH	C150RG	Revolving Loan Fund-District 7	\$ 5,587,427
AI	C150RH	Revolving Loan Fund-District 8	\$ 3,814,226
AJ	C150RI	Revolving Loan Fund-District 9	\$ 4,082,928
AK	C150RJ	Revolving Loan Fund-District 10	\$ 6,492,965
AL	C150RK	Revolving Loan Fund-District 11	\$ 5,701,197
AM	C150RL	Revolving Loan Fund-District 12	\$ 5,353,855
AN	C150RM	Revolving Loan Fund-District 13	\$ 2,811,272
AO	C150RN	Revolving Loan Fund-District 14	\$ 2,554,690
AP	C150RO	Revolving Loan Fund-District 15	\$ 3,535,277
AQ	C150RP	Revolving Loan Fund-District 16	\$ 5,452,577
AR	C150RQ	Revolving Loan Fund-District 17	\$ 4,164,859
AS	C150RS	Revolving Loan Fund-District 18	\$ 4,658,332
AT	C150RT	Revolving Loan Fund-District 19	\$ 3,540,069
AU	C150RU	Small Government Program	\$ 6,956,258
AV	C150RV	Emergency Program	\$ 990,514
AW	TOTAL State Capital Improvements		\$ 121,830,281
	Revolving Loan Fund		
AX	Clean Ohio Conservation Fund (Fund 7056)		
AY	C150AA	Clean Ohio-District 1	\$ 6,364,244
AZ	C150BB	Clean Ohio-District 2	\$ 4,721,542
BA	C150CC	Clean Ohio-District 3	\$ 7,504,509
BB	C150DD	Clean Ohio-District 4	\$ 5,818,128
BC	C150EE	Clean Ohio-District 5	\$ 3,199,090
BD	C150FF	Clean Ohio-District 6	\$ 4,743,634

BE	C150GG	Clean Ohio-District 7	\$ 4,716,808
BF	C150HH	Clean Ohio-District 8	\$ 5,324,658
BG	C150II	Clean Ohio-District 9	\$ 4,031,869
BH	C150JJ	Clean Ohio-District 10	\$ 4,739,969
BI	C150KK	Clean Ohio-District 11	\$ 5,072,954
BJ	C150LL	Clean Ohio-District 12	\$ 3,696,315
BK	C150MM	Clean Ohio-District 13	\$ 7,330,745
BL	C150NN	Clean Ohio-District 14	\$ 7,108,486
BM	C150OO	Clean Ohio-District 15	\$ 6,289,397
BN	C150PP	Clean Ohio-District 16	\$ 7,136,473
BO	C150QQ	Clean Ohio-District 17	\$ 4,041,371
BP	C150RR	Clean Ohio-District 18	\$ 4,676,875
BQ	C150SS	Clean Ohio-District 19	\$ 5,191,826
BR	TOTAL	Clean Ohio Conservation Fund	\$ 101,708,893
BS	TOTAL ALL FUNDS		\$ 475,696,021

LOCAL PUBLIC INFRASTRUCTURE

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

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by

the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15000, Local Public Infrastructure/State CIP.

**REVOLVING LOAN**

Capital reappropriations in this act made from the State Capital Improvements Revolving Loan Fund (Fund 7040) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code.

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

**CLEAN OHIO CONSERVATION GRANT REPAYMENTS**

Capital reappropriations in this act made from the Clean Ohio Conservation Fund (Fund 7056) shall be used in accordance with sections 164.20 to 164.27 of the Revised Code.

Any amount in grant repayments received by the Public Works Commission and deposited into the Clean Ohio Conservation Fund pursuant to section 164.261 of the Revised Code is hereby appropriated through the foregoing appropriation item C15060, Clean Ohio Conservation.

**Section 245.10. OSB SCHOOL FOR THE BLIND**

	1	2	3
A			Reappropriations
B	Administrative Building Fund (Fund 7026)		
C	C22616 Renovations and Improvements		\$ 95,961

D	C22628 Old Campus Building Demolition	\$ 110,653
E	C22629 Roadway Improvements	\$ 275,000
F	C22700 Infrastructure Improvements	\$ 17,146
G	TOTAL Administrative Building Fund	\$ 498,760
H	TOTAL ALL FUNDS	\$ 498,760

**Section 247.10. OSD SCHOOL FOR THE DEAF**

	1	2	3
A			Reappropriations
B	Administrative Building Fund (Fund 7026)		
C	C22107 Renovations and Improvements		\$ 626,171
D	C22114 Dormitory Construction		\$ 2,503,000
E	C22116 Old Campus Building Demolition		\$ 193,134
F	C22800 Infrastructure Improvements		\$ 2,668
G	TOTAL Administrative Building Fund		\$ 3,324,973
H	TOTAL ALL FUNDS		\$ 3,324,973

**RENOVATIONS AND IMPROVEMENTS**

The amount reappropriated for the foregoing appropriation item C22107, Renovations and Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C22107, Renovations and Improvements, plus the unencumbered balance as of June 30, 2020, in appropriation item C22111, Staff Building Windows and Repair.

**Section 509.10. CERTIFICATION OF AVAILABILITY OF MONEYS**

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

**Section 509.20. LIMITATION ON USE OF CAPITAL APPROPRIATIONS**

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

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

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

(C) Architectural, engineering, and professional services expenses directly related to the projects;

(D) Machinery that is necessary to the operation or function of the building or structure at the time of initial acquisition or construction;

(E) Acquisition, development, and deployment of new computer systems, including the integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements;

(F) Furniture, fixtures, or equipment that meets all the following criteria:

(1) Is essential in bringing the facility up to its intended use or is necessary for the functioning of the particular facility or project;

(2) Has a unit cost of about \$100 or more; and

(3) Has a useful life of five years or more.

Furniture, fixtures, or equipment that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated shall not be paid for from these appropriations. This paragraph does not apply to appropriation line items specifically for furniture, fixtures, or equipment.

**Section 509.30. CONTINGENCY RESERVE REQUIREMENT**

Any request for release of capital appropriations by the Director of Budget and Management or the Controlling Board for projects, the contracts for which are awarded by the Ohio Facilities Construction Commission, shall contain a contingency reserve, the amount of which shall be determined by the Ohio Facilities Construction Commission, for payment of unanticipated project expenses. Any amount deducted from the encumbrance for a contractor's contract as an assessment for liquidated damages shall be added to the encumbrance for the contingency reserve. Contingency reserve funds



shall be used to pay costs resulting from unanticipated job conditions, to comply with rulings regarding building and other codes, to pay costs related to errors or omissions in contract documents, to pay costs associated with changes in the scope of work, and to pay the cost of settlements and judgments related to the project.

Any funds remaining upon completion of a project, may, upon approval of the Controlling Board, be released for the use of the institution to which the appropriation was made for another capital facilities project or projects.

#### **Section 509.40. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST THE STATE**

Except as otherwise provided in this section, an appropriation contained in this act or in any other act may be used for the purpose of satisfying judgments, settlements, or administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state. This authorization does not apply to appropriations that are to be applied to or used for payment of guarantees by or on behalf of the state or for payments under lease agreements relating to or debt service on bonds, notes, or other obligations of the state.

Notwithstanding any other section of law to the contrary, this authorization includes appropriations from funds into which proceeds or direct obligations of the state are deposited only to the extent that the judgment, settlement, or administrative award is for or represents capital costs for which the appropriation may otherwise be used and is consistent with the purpose for which any related obligations were issued or entered into. Nothing contained in this section is intended to subject the state to suit in any forum in which it is not otherwise subject to suit, nor is it intended to waive or compromise any defense or right available to the state in any suit against it.

#### **Section 509.50. CAPITAL RELEASES BY THE DIRECTOR OF BUDGET AND MANAGEMENT**

Notwithstanding section 126.14 of the Revised Code, appropriations for appropriation items C50100, Local Jails, and C50101, Community-Based Correctional Facilities, appropriated from the Adult Correctional Building Fund (Fund 7027) to the Department of Rehabilitation and Correction, and any projects specifically identified for C58001, Community Assistance Projects, shall be released upon the written approval of the Director of Budget and Management. The appropriations from the Public School Building Fund (Fund 7021), the Education Facilities Trust Fund (Fund N087), and the School Building Program Assistance Fund (Fund 7032) to the Facilities Construction Commission, from the Transportation Building Fund (Fund 7029) to the Department of Transportation, from the Clean Ohio Conservation Fund (Fund 7056), the State Capital Improvement Fund (Fund 7038), and the

State Capital Improvements Revolving Loan Fund (Fund 7040) to the Public Works Commission, and from the Underground Parking Garage Operating Fund (Fund 2080) to the Capitol Square Review and Advisory Board shall be released upon presentation of a request to release the funds, by the agency to which the appropriation has been made, to the Director of Budget and Management.

**Section 509.60. PREVAILING WAGE REQUIREMENT**

Except as provided in section 4115.04 of the Revised Code, moneys appropriated or reappropriated by the 133rd General Assembly shall not be used for the construction of public improvements, as defined in section 4115.03 of the Revised Code, unless the mechanics, laborers, or workers engaged therein are paid the prevailing rate of wages prescribed in section 4115.04 of the Revised Code. Nothing in this section affects the wages and salaries established for state employees under Chapter 124. of the Revised Code, or collective bargaining agreements entered into by the state under Chapter 4117. of the Revised Code, while engaged on force account work, nor does this section interfere with the use of inmate and patient labor by the state.

**Section 509.70. AUTHORIZATION OF THE DIRECTOR OF BUDGET AND MANAGEMENT**

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

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

(B) The expenditure or encumbrance of moneys from funds into which proceeds of direct obligations are deposited, only after determining to the Director's satisfaction that either of the following applies:

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

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

In the event the Director determines that the condition set forth in division (B)(1) of this section does not apply, and that there is no existing fund in the state treasury to enable compliance with the condition set forth in division (B)

(2) of this section, the Director may create a fund in the state treasury for the purpose of receiving proceeds of federally taxable obligations. The Director may establish capital appropriation items in that taxable bond fund that correspond to the preexisting capital appropriation items in the associated tax-exempt bond fund. The Director also may transfer capital appropriations in whole or in part between the taxable and tax-exempt bond funds within a particular purpose for which the bonds have been authorized.

**Section 509.80. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES OF CAPITAL APPROPRIATIONS**

(A)(1) Notwithstanding the original year of appropriation or encumbrance, the unexpended balance of a capital appropriation or reappropriation that a state agency has lawfully encumbered prior to the close of the fiscal year 2019-2020 capital biennium is hereby reappropriated for the fiscal year 2021-2022 capital biennium from the fund from which it was originally appropriated or was reappropriated and shall be used only for the purpose of discharging the encumbrance. For those encumbered appropriations or reappropriations, any Controlling Board approval previously granted and referenced by the encumbering document remains in effect until the encumbrance is discharged or until the encumbrance expires at the end of the fiscal year 2021-2022 capital biennium.

(2) During the fiscal year 2021-2022 capital biennium, the Director of Budget and Management may cancel an encumbrance that was reappropriated pursuant to division (A)(1) of this section if the Director determines that the encumbrance is no longer needed to complete the project for which it was reappropriated or appropriated.

(B) If during the fiscal year 2021-2022 capital biennium, pursuant to section 126.22 of the Revised Code in order to correct an accounting error, the Director of Budget and Management reestablishes an encumbrance that was reappropriated pursuant to division (A) of this section, the amount representing the encumbrance canceled in error is reappropriated in accordance with division (A) of this section.

**Section 509.90. PREVIOUSLY RELEASED REAPPROPRIATIONS**

Capital reappropriations in this act that have been released by the Controlling Board or the Director of Budget and Management between July 1, 2018, and June 30, 2020, do not require further approval or release prior to being encumbered. Funds reappropriated in excess of such prior releases shall be released in accordance with applicable provisions of this act.

**Section 510.10. REAPPROPRIATION OF UNENCUMBERED BALANCES OF CAPITAL APPROPRIATIONS**

The reappropriations made in this act represent the unencumbered balances

of prior years' capital improvements appropriations estimated to be available on June 30, 2020. Notwithstanding the foregoing, unless otherwise specified, the actual unencumbered balances on June 30, 2020, for the appropriation items in this act identified as reappropriations are hereby reappropriated. Additionally, there is hereby reappropriated the actual unencumbered balances on June 30, 2020, of any appropriation items either appropriated or reappropriated in H.B. 529 of the 132nd General Assembly or appropriated in H.B. 24 of the 132nd General Assembly, H.B. 92 of the 132nd General Assembly, S.B. 299 of the 132nd General Assembly, S.B. 51 of the 132nd General Assembly, H.B. 62 of the 133rd General Assembly, or H.B. 166 of the 133rd General Assembly and not otherwise listed in this act, or created by the Controlling Board pursuant to section 127.15 of the Revised Code, if the Director of Budget and Management determines that such balances are needed to complete the projects for which they were reappropriated or appropriated. The appropriation items and amounts that are reappropriated by this act shall be reported to the Controlling Board within 30 days after the effective date of this section.

**Section 510.20. REQUIREMENTS RELATING TO NON-STATE OWNERSHIP OF CERTAIN FINANCED PROJECTS**

(A) No capital improvement reappropriations made in this act from the Mental Health Facilities Improvement Fund (Fund 7033) or from the Parks and Recreation Improvement Fund (Fund 7035) shall be released for planning or for improvement, renovation, or construction or acquisition of capital facilities if a governmental agency, as defined in section 154.01 of the Revised Code, does not own the real property that constitutes the capital facilities or on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

(1) The governmental agency has a long-term (at least fifteen years) lease of, or other interest (such as an easement) in, the real property.

(2) In the case of a reappropriation for capital facilities that, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made available to the governmental agency for its use or benefit, the nonprofit organization either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement, with and approved by the governmental agency that meets the requirements of division (B) of this section.

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

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the approving department, reasonably related to the amount of the appropriation;

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

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

**Section 518.10. OBLIGATIONS ISSUED UNDER CHAPTER 151. OF THE REVISED CODE**

The capital improvements for which reappropriations are made in this act from the Higher Education Improvement Taxable Fund (Fund 7024), the Ohio Parks and Natural Resources Fund (Fund 7031), the School Building Program Assistance Fund (Fund 7032), the Higher Education Improvement Fund (Fund 7034), the State Capital Improvements Fund (Fund 7038), the State Capital Improvements Revolving Loan Fund (Fund 7040), the Coal Research and Development Fund (Fund 7046), the Clean Ohio Conservation Fund (Fund 7056), the Clean Ohio Agricultural Easement Fund (Fund 7057), and the Clean Ohio Trail Fund (Fund 7061) are determined to be capital improvements and capital facilities for natural resources, a statewide system of common schools, state-supported and state-assisted institutions of higher education, local subdivision capital improvement projects, coal research and development projects, and conservation purposes (under the Clean Ohio Program) and are designated as capital facilities to which proceeds of obligations issued under Chapter 151. of the Revised Code are to be applied.

**Section 518.20. OBLIGATIONS ISSUED UNDER CHAPTER 154. OF THE REVISED CODE**

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

**Section 523.10. TRANSFER OF OPEN ENCUMBRANCES**

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

**Section 525.10. LITIGATION PROCEEDS TO THE ADMINISTRATIVE BUILDING FUND**

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

**Section 601.10.** That Section 812.10 of H.B. 529 of the 132nd General Assembly be amended to read as follows:

**Sec. 812.10.** Sections of ~~this act~~ H.B. 529 of the 132nd General Assembly prefixed with section numbers in the 200s take effect on July 1, 2018, or on ~~the effective date of this section June 29, 2018,~~ under Ohio Constitution, Article II, Section 1c, whichever occurs later. The provisions with the purpose of drawing money from the state treasury in payment of liabilities lawfully incurred under those sections, cease to have effect at midnight (24:00) on June 30, 2020.

**Section 601.11.** That existing Section 812.10 of H.B. 529 of the 132nd General Assembly is hereby repealed.

**Section 806.10.** The items of law contained in this act, and their applications, are severable. If an item of law contained in this act, or if an application of an item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item or application.

**Section 807.10.** This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address the financial impact to governments of the COVID-19 pandemic and to provide for the continuation, without interruption, of ongoing capital projects. Therefore, this act shall go into immediate effect."

The question being "Shall the amendment be agreed to?"

The motion to amend was agreed to.

The question being, “Shall the section, Section 807.10, setting forth the emergency features of the bill, stand as a part of the bill?”

The yeas and nays were taken and resulted – yeas 31, nays 1, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Schaffer
Schuring	Sykes	Thomas	Williams
Wilson	Yuko		Obhof-31

Senator Roegner voted in the negative-1.

So the section, Section 807.10, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 30, nays 2, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Johnson	Kunze
Lehner	Maharath	Manning	McColley
O'Brien	Peterson	Schaffer	Schuring
Sykes	Thomas	Williams	Wilson
Yuko			Obhof-30

Senators Fedor and Roegner voted in the negative-2.

So the bill having received the required constitutional majority passed as an emergency measure.

The question being, “Shall the title be agreed to?”

Senator Schuring moved to amend the title as follows:

Add the names: "Senators Antonio, Blessing, Brenner, Burke, Craig, Dolan, Eklund, Gavarone, Hackett, Hottinger, Huffman, S., Kunze, Lehner, Manning, O'Brien, Schaffer, Sykes, Thomas."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

**S. B. No. 272**-Senators Roegner, Blessing.

Cosponsors: Senators Huffman, M., Huffman, S., Hackett.

To amend section 4755.48 and to enact sections 4755.57 and 4755.571 of the Revised Code to enter into the Physical Therapy Licensure Compact, was considered the third time.

The question being, "Shall the bill, **S. B. No. 272**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Roegner moved to amend the title as follows:

Add the names: "Senators Antonio, Brenner, Burke, Coley, Craig, Dolan, Eklund, Gavarone, Hoagland, Hottinger, Johnson, Kunze, Lehner, Maharath, McColley, Obhof, O'Brien, Peterson, Schaffer, Sykes, Thomas, Wilson."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

**S. B. No. 280**-Senator Blessing.

Cosponsors: Senators Brenner, Hackett, Huffman, S.

To amend section 4712.05 of the Revised Code to exempt certain contracts between a credit services organization and a buyer from the time limit to perform services, was considered the third time.

The question being, "Shall the bill, **S. B. No. 280**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Blessing moved to amend the title as follows:

Add the names: "Senators Antonio, Burke, Craig, Eklund, Kunze, Maharath, Manning, O'Brien, Peterson, Schaffer, Sykes, Thomas, Yuko."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.



**Am. S. B. No. 293**-Senators Manning, Blessing.

To amend sections 121.22, 2323.52, 2743.03, and 2746.04 and to enact section 2743.76 of the Revised Code to create a procedure within the Court of Claims to hear complaints alleging a violation of the Open Meetings Law, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 293**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Manning moved to amend the title as follows:

Add the names: "Senators Antonio, Brenner, Burke, Craig, Dolan, Eklund, Fedor, Gavarone, Hottinger, Huffman, M., Johnson, Maharath, Obhof, O'Brien, Peterson, Schaffer, Sykes, Thomas, Wilson, Yuko."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

**S. B. No. 318**-Senators Kunze, Williams.

Cosponsors: Senators Eklund, Schuring, Schaffer, Blessing.

To amend Section 1 of S.B. 30 of the 133rd General Assembly to extend the Women's Suffrage Centennial Commission until December 31, 2021, was considered the third time.

The question being, "Shall the bill, **S. B. No. 318**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Kunze moved to amend the title as follows:

Add the names: "Senators Antonio, Burke, Coley, Craig, Dolan, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Huffman, S., Johnson, Lehner, Maharath, Manning, McColley, Obhof, O'Brien, Peterson, Roegner, Sykes, Thomas, Wilson, Yuko."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

On the motion of Senator Peterson, **Sub. H. B. No. 65**, having been informally passed, was taken up for consideration.

The question being, "Shall the bill, **Sub. H. B. No. 65**, pass?"

Senator Gavarone moved to amend as follows:

In line 1 of the title, after "To" insert "amend section 3749.01 and to"

In line 4 of the title, delete "." and insert "and to allow certified swimming classes to take place at a private residential swimming pool without requiring the pool's operator to obtain a public swimming pool license and to declare an emergency."

In line 5, after "That" insert "section 3749.01 be amended and"

After line 6, insert:

**"Sec. 3749.01.** As used in sections 3749.01 to 3749.10 of the Revised Code:

(A) "Board of health" means a city board of health or a general health district, or an authority having the duties of a city board of health as authorized by section 3709.05 of the Revised Code.

(B) "Health district" means any city or general health district created pursuant to section 3709.01 of the Revised Code.

(C) "Person" means the state, any political subdivision, special district, public or private corporation, individual, firm, partnership, association, or any other entity.

(D) "Licensor" means a city board of health or a general health district, an authority having the duties of a city board of health as authorized pursuant to section 3709.05 of the Revised Code, or the director of ~~the department of~~ health when acting under section 3749.07 of the Revised Code.

(E) "Director" means the director of ~~the department of health or his~~ an authorized representative of the director of health.

(F) "Private residential swimming pool" means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing located at a dwelling housing no more than three families and used exclusively by ~~the any of the following:~~

(1) The dwelling's residents and their;

(2) The resident's nonpaying guests;

(3) A paying guest of a resident if the guest is participating in a certified swimming class conducted by the resident, provided that both of the following apply:

(a) The resident is a certified swimming instructor and is conducting the certified swimming class on a one-on-one basis.

(b) Not more than four individuals are in the pool at the same time during the class.

(G) "Public swimming pool" means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing that is intended to be used collectively for swimming, diving, or bathing and is operated by any person whether as the owner, lessee, operator, licensee, or concessionaire, regardless of whether or not a fee is charged for use, but does not mean any public bathing area or private residential swimming pool.

(H) "Public spa" means any public swimming pool that is typically operated as a smaller, higher temperature pool for recreational or nonmedical uses.

(I) "Special use pool" means a public swimming pool containing flume slides, wave generating equipment, or other special features that necessitate different design and safety requirements. "Special use pool" does not include any water slide or wave generating pool at a public amusement area which is licensed and inspected by the department of agriculture pursuant to sections 1711.50 to 1711.57 of the Revised Code.

(J) "Public bathing area" means an impounding reservoir, basin, lake, pond, creek, river, or other similar natural body of water.

(K) "Certified swimming class" means an infant swimming resource (ISR) class; an American red cross swimming class, swimming lesson, or learn-to-swim class; and any other swimming class certified by a nationally accredited organization that operates in all fifty states.

(L) "Certified swimming instructor" means a certified ISR instructor; a certified American red cross swimming instructor or swim coach; and any

other swim instructor certified by a nationally accredited organization that operates in all fifty states."

After line 35, insert:

"**Section 2.** That existing section 3749.01 of the Revised Code is hereby repealed.

**Section 3.** It is not the intent of the General Assembly that any provision of section 3749.01 of the Revised Code, as amended by this act, be interpreted as either limiting or restricting an insurer's ability to do any of the following:

- (A) Exclude insurance coverage from any insurance policy;
- (B) Underwrite any insurance policy; or
- (C) Create, imply, or otherwise grant insurance coverage not found in a policy of insurance.

**Section 4.** No notice shall be required under divisions (A) and (B) of section 5104.043 of the Revised Code, as enacted by this act, until such time as the Director of Job and Family Services adopts rules under division (C) of that section.

**Section 5.** This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to continue the essential operation of certified swimming classes and to ensure the safety of children at child care facilities. Therefore, this act shall go into immediate effect."

The question being, "Shall the amendment be agreed to?"

The motion to amend was agreed to.

The question being, "Shall the section, Section 5, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:  
Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the section, Section 5, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Fedor	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Johnson
Kunze	Lehner	Maharath	Manning
McColley	O'Brien	Peterson	Roegner
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill having received the required constitutional majority passed as an emergency measure.

The question being, “Shall the title be agreed to?”

Senator Burke moved to amend the title as follows:

Add the names: "Senators Antonio, Blessing, Brenner, Burke, Coley, Craig, Dolan, Eklund, Gavarone, Hackett, Johnson, Kunze, Manning, O'Brien, Peterson, Schaffer, Thomas, Wilson, Yuko."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

### MOTIONS

Senator Hottinger moved that Senators absent the week of Sunday, June 07, 2020, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

### Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

#### **Am. Sub. S. B. No. 310** -Senator Dolan

Cosponsors: Senators Hottinger, Eklund, Burke, Schuring, Antonio, Blessing, Brenner, Craig, Fedor, Gavarone, Hackett, Hoagland, Huffman, S., Johnson, Kunze, Lehner, Maharath, Manning, Obhof, O'Brien, Peterson, Rulli, Schaffer, Sykes, Thomas, Williams, Wilson, Yuko Representatives Cera, Ghanbari, Hambley, O'Brien, Patterson, Rogers, West, Carruthers, Hicks-Hudson, Liston, Miller, J., Oelslager, Patton, Richardson, Robinson, Seitz, Sheehy

To amend sections 124.393, 307.86, 505.08, 731.14, 749.37, 5165.01, 5165.15, 5165.16, 5165.17, 5165.19, 5165.26, 5166.01, and 5540.03 and to repeal section 5165.361 of the Revised Code and to amend Section 333.10 of H.B. 166 of the 133rd General Assembly and Section 812.10 of H.B. 529 of the 132nd General Assembly and to repeal Section 333.270 of H.B. 166 of the 133rd General Assembly to provide for the distribution of some federal coronavirus relief funding to local subdivisions and businesses, to revise the formula used to determine Medicaid rates for nursing facility services, to exclude loan amounts forgiven under the federal CARES Act from the commercial activity tax, to apply the Prevailing Wage Law to transportation improvement district projects under certain circumstances, to allow certain state employees' salaries and pay supplements to be frozen during the pay period that includes July 1, 2020, through the pay period that includes June 30, 2021, to temporarily expand the use of certain tax increment financing payments, to exempt certain political subdivision purchases from competitive bidding requirements during the COVID-19 emergency, to suspend certain county hospital bidding requirements during the COVID-19 emergency, to allow a county, township, or municipal corporation appointing authority to establish a mandatory cost savings program in response to COVID-19, to make capital reappropriations for the biennium ending June 30, 2022, to make other appropriations, and to declare an emergency.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 4 of the title, delete ";" and insert "and"

In line 6 of the title, delete ";"

In line 14 of the title, after "tax," insert "to temporarily expand the use of certain tax increment financing payments,"

In line 1432, delete "12" and insert "13"

After line 1734, insert:

**"Section 10.** (A) Notwithstanding sections 5709.43 and 5709.75 of the Revised Code, the legislative authority of a municipal corporation or a board of township trustees may do either or both of the following:

(1) On or after the effective date of this section but before the last day of the municipal corporation's or township's fiscal year that ends in or with 2020, appropriate and expend the sum of not more than twenty-five per cent of the unencumbered money in the municipal public improvement tax increment equivalent fund, urban redevelopment tax increment equivalent

fund, or township public improvement tax increment equivalent fund, as applicable, as of that effective date, plus not more than twenty-five per cent of any amount deposited to that fund during the remainder of that fiscal year, to be used as authorized in division (B) of this section;

(2) On or after the first day of the municipal corporation's or township's fiscal year ending in or with 2021 but before the last day of that fiscal year, appropriate and expend the sum of not more than twenty-five per cent of the unencumbered balance of the municipal public improvement tax increment equivalent fund, urban redevelopment tax increment equivalent fund, or township public improvement tax increment equivalent fund, as applicable, as of the first day of that fiscal year, plus not more than twenty-five per cent of any amount deposited to that fund during that fiscal year, to be used as authorized in division (B) of this section.

(B) Money appropriated and expended under division (A)(1) or (2) of this section shall be used solely to pay current public safety expenses or road and bridge maintenance expenses of the subdivision that are not eligible to be paid or reimbursed with funds received by the subdivision pursuant to 42 U.S.C. 601 and Section 6 of this act.

(C) A municipal corporation or township appropriating and expending money under division (A)(1) or (2) of this section shall reimburse the fund from which the appropriation or expenditure was made for the sum so appropriated and expended from funds received by the subdivision pursuant to federal legislation that may be used to pay for or reimburse those expenses, but only if and to the extent those funds are available. No reimbursement shall be required if such funds are not received before the date the applicable exemption granted under the resolution adopted under section 5709.40, 5709.41, or 5709.73 of the Revised Code expires."

In line 1735, delete "**10**" and insert "**11**"

In line 1739, delete "**11**" and insert "**12**"

In line 1741, delete "**12**" and insert "**13**"

In line 1 of the title, after "sections" insert "307.86, 505.08, 731.14, 749.37,"

In line 4 of the title, delete ";" and insert "and"

In line 6 of the title, delete ";"

In line 21 of the title, after "2021," insert "to exempt certain political subdivision purchases from competitive bidding requirements during the COVID-19 emergency, to suspend certain county hospital bidding requirements during the COVID-19 emergency,"

In line 24, after "sections" insert "307.86, 505.08, 731.14, 749.37,"

After line 26, insert:

**"Sec. 307.86.** Anything to be purchased, leased, leased with an option or agreement to purchase, or constructed, including, but not limited to, any product, structure, construction, reconstruction, improvement, maintenance, repair, or service, except the services of an accountant, architect, attorney at law, physician, professional engineer, construction project manager, consultant, surveyor, or appraiser, by or on behalf of the county or contracting authority, as defined in section 307.92 of the Revised Code, at a cost in excess of fifty thousand dollars, except as otherwise provided in division (D) of section 713.23 and in sections 9.48, 125.04, 125.60 to 125.6012, 307.022, 307.041, 307.861, 339.05, 340.036, 4115.31 to 4115.35, 5119.44, 5513.01, 5543.19, 5713.01, and 6137.05 of the Revised Code, shall be obtained through competitive bidding. However, competitive bidding is not required when any of the following applies:

(A) The board of county commissioners, by a unanimous vote of its members, makes a determination that a real and present emergency exists, and that determination and the reasons for it are entered in the minutes of the proceedings of the board, when ~~either~~ any of the following applies:

(1) The estimated cost is less than one hundred thousand dollars.

(2) There is actual physical disaster to structures, radio communications equipment, or computers.

(3) The purchase or lease is necessary to respond to the COVID-19 emergency declared by Executive Order 2020-01D, issued on March 9, 2020.

For purposes of this division, "unanimous vote" means all three members of a board of county commissioners when all three members are present, or two members of the board if only two members, constituting a quorum, are present.

Whenever a contract of purchase, lease, or construction is exempted from competitive bidding under division (A)(1) of this section because the estimated cost is less than one hundred thousand dollars, but the estimated cost is fifty thousand dollars or more, the county or contracting authority shall solicit informal estimates from no fewer than three persons who could perform the contract, before awarding the contract. With regard to each such contract, the county or contracting authority shall maintain a record of such estimates, including the name of each person from whom an estimate is solicited. The county or contracting authority shall maintain the record for the longer of at least one year after the contract is awarded or the amount of time the federal government requires.

(B)(1) The purchase consists of supplies or a replacement or



supplemental part or parts for a product or equipment owned or leased by the county, and the only source of supply for the supplies, part, or parts is limited to a single supplier.

(2) The purchase consists of services related to information technology, such as programming services, that are proprietary or limited to a single source.

(C) The purchase is from the federal government, the state, another county or contracting authority of another county, or a board of education, educational service center, township, or municipal corporation.

(D) The purchase is made by a county department of job and family services under section 329.04 of the Revised Code and consists of family services duties or workforce development activities or is made by a county board of developmental disabilities under section 5126.05 of the Revised Code and consists of program services, such as direct and ancillary client services, child care, case management services, residential services, and family resource services.

(E) The purchase consists of criminal justice services, social services programs, family services, or workforce development activities by the board of county commissioners from nonprofit corporations or associations under programs funded by the federal government or by state grants.

(F) The purchase consists of any form of an insurance policy or contract authorized to be issued under Title XXXIX of the Revised Code or any form of health care plan authorized to be issued under Chapter 1751. of the Revised Code, or any combination of such policies, contracts, plans, or services that the contracting authority is authorized to purchase, and the contracting authority does all of the following:

(1) Determines that compliance with the requirements of this section would increase, rather than decrease, the cost of the purchase;

(2) Requests issuers of the policies, contracts, plans, or services to submit proposals to the contracting authority, in a form prescribed by the contracting authority, setting forth the coverage and cost of the policies, contracts, plans, or services as the contracting authority desires to purchase;

(3) Negotiates with the issuers for the purpose of purchasing the policies, contracts, plans, or services at the best and lowest price reasonably possible.

(G) The purchase consists of computer hardware, software, or consulting services that are necessary to implement a computerized case management automation project administered by the Ohio prosecuting attorneys association and funded by a grant from the federal government.

(H) Child care services are purchased for provision to county employees.

(I)(1) Property, including land, buildings, and other real property, is leased for offices, storage, parking, or other purposes, and all of the following apply:

(a) The contracting authority is authorized by the Revised Code to lease the property.

(b) The contracting authority develops requests for proposals for leasing the property, specifying the criteria that will be considered prior to leasing the property, including the desired size and geographic location of the property.

(c) The contracting authority receives responses from prospective lessors with property meeting the criteria specified in the requests for proposals by giving notice in a manner substantially similar to the procedures established for giving notice under section 307.87 of the Revised Code.

(d) The contracting authority negotiates with the prospective lessors to obtain a lease at the best and lowest price reasonably possible considering the fair market value of the property and any relocation and operational costs that may be incurred during the period the lease is in effect.

(2) The contracting authority may use the services of a real estate appraiser to obtain advice, consultations, or other recommendations regarding the lease of property under this division.

(J) The purchase is made pursuant to section 5139.34 or sections 5139.41 to 5139.46 of the Revised Code and is of programs or services that provide case management, treatment, or prevention services to any felony or misdemeanor delinquent, unruly youth, or status offender under the supervision of the juvenile court, including, but not limited to, community residential care, day treatment, services to children in their home, or electronic monitoring.

(K) The purchase is made by a public children services agency pursuant to section 307.92 or 5153.16 of the Revised Code and consists of family services, programs, or ancillary services that provide case management, prevention, or treatment services for children at risk of being or alleged to be abused, neglected, or dependent children.

(L) The purchase is to obtain the services of emergency medical service organizations under a contract made by the board of county commissioners pursuant to section 307.05 of the Revised Code with a joint emergency medical services district.

(M) The county contracting authority determines that the use of competitive sealed proposals would be advantageous to the county and the contracting authority complies with section 307.862 of the Revised Code.

(N) The purchase consists of used supplies and is made at a public auction.

Any issuer of policies, contracts, plans, or services listed in division (F) of this section and any prospective lessor under division (I) of this section may have the issuer's or prospective lessor's name and address, or the name and address of an agent, placed on a special notification list to be kept by the contracting authority, by sending the contracting authority that name and address. The contracting authority shall send notice to all persons listed on the special notification list. Notices shall state the deadline and place for submitting proposals. The contracting authority shall mail the notices at least six weeks prior to the deadline set by the contracting authority for submitting proposals. Every five years the contracting authority may review this list and remove any person from the list after mailing the person notification of that action.

Any contracting authority that negotiates a contract under division (F) of this section shall request proposals and negotiate with issuers in accordance with that division at least every three years from the date of the signing of such a contract, unless the parties agree upon terms for extensions or renewals of the contract. Such extension or renewal periods shall not exceed six years from the date the initial contract is signed.

Any real estate appraiser employed pursuant to division (I) of this section shall disclose any fees or compensation received from any source in connection with that employment.

As used in division (N) of this section, "supplies" means any personal property including equipment, materials, and other tangible assets.

**Sec. 505.08.** After adopting by a unanimous vote a resolution declaring a real and present emergency in connection with the administration of township services or the execution of duties assigned by law to any officer of a township, the board of township trustees may, by resolution, enter into a contract, without bidding or advertising, for the purchase of services, materials, equipment, or supplies needed to meet the emergency if the estimated cost of the contract is less than fifty thousand dollars.

During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, the board of township trustees may, by resolution, enter into a contract, without bidding or advertising, for the purchase of services, materials, equipment, or supplies needed to meet the emergency, regardless of the estimated cost of the contract.

**Sec. 731.14.** All contracts made by the legislative authority of a village shall be executed in the name of the village and signed on its behalf by the mayor and clerk. Except where the contract is for equipment, services, materials, or supplies to be purchased under division (D) of section 713.23 or section 125.04 or 5513.01 of the Revised Code, available from a qualified nonprofit agency pursuant to sections 4115.31 to 4115.35 of the Revised Code, or required to be purchased from a qualified nonprofit agency under

sections 125.60 to 125.6012 of the Revised Code, or, during the period of emergency declared by Executive Order 2020-01D, issued on March 9, 2020, when the purchase is necessary to respond to that emergency, when any expenditure, other than the compensation of persons employed in the village, exceeds fifty thousand dollars, such contracts shall be in writing and made with the lowest and best bidder after advertising once a week for not less than two consecutive weeks in a newspaper of general circulation within the village. The legislative authority may also cause notice to be inserted in trade papers or other publications designated by it or to be distributed by electronic means, including posting the notice on the legislative authority's internet web site. If the legislative authority posts the notice on its web site, it may eliminate the second notice otherwise required to be published in a newspaper of general circulation within the village, provided that the first notice published in such newspaper meets all of the following requirements:

(A) It is published at least two weeks before the opening of bids.

(B) It includes a statement that the notice is posted on the legislative authority's internet web site.

(C) It includes the internet address of the legislative authority's internet web site.

(D) It includes instructions describing how the notice may be accessed on the legislative authority's internet web site.

The bids shall be opened and shall be publicly read by the clerk of the village or a person designated by the clerk at the time, date, and place specified in the advertisement to bidders or specifications. The time, date, and place of bid openings may be extended to a later date by the legislative authority of the village, provided that written or oral notice of the change shall be given to all persons who have received or requested specifications no later than ninety-six hours prior to the original time and date fixed for the opening. This section does not apply to those villages that have provided for the appointment of a village administrator under section 735.271 of the Revised Code.

**Sec. 749.37.** Notwithstanding any conflicting provision of sections 749.09 to 749.14 and 749.26 to 749.31 of the Revised Code, Chapter 153. of the Revised Code, or any other competitive bidding requirement specified in the Revised Code that requires a public authority to enter into separate contracts for the design and construction of a public improvement, a

(A) A board of hospital commissioners or a board of hospital trustees may enter into a single contract under which the entity awarded the contract is responsible for providing both design and construction services related to the erection of a hospital, any addition to the hospital, or any other improvement to the hospital or its properties involving alteration, repair,

replacement, renovation, installation, or demolition.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, a board of hospital commissioners or a board of hospital trustees may purchase equipment and supplies necessary to respond to the emergency without following competitive bidding procedures.

This section does not otherwise alter the competitive bidding requirements that apply to the board when entering into a contract for a public improvement."

In line 1384, after "sections" insert "307.86, 505.08, 731.14, 749.37,"

After line 3612, insert:

**"Section 808.** During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, and notwithstanding any contrary provision of the Revised Code, the part of division (B) of section 339.05 of the Revised Code that states ", and either of the following applies" is suspended, and divisions (B)(1), (2), and (D) of section 339.05 of the Revised Code are suspended."

In line 1639, delete "or a direct payment under section 5001"

Delete line 1640

In line 1641, delete "described in 42 U.S.C. 601(b)(2),"

In line 1644, after "of" insert "such"

After line 1734, insert:

"(G) A subdivision that receives a direct payment from the federal government under section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(b)(2), may use all or a portion of that payment to award grants to small businesses in accordance with section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d)(1), and any applicable regulations or federal guidance. Divisions (A) through (F) of this section do not apply to such a subdivision or to any business to which the subdivision awards a grant."

In line 1751, after "distributed" insert "and used"

In line 1 of the title, after "sections" insert "124.393,"

In line 21 of the title, after "2021," insert "to allow a county, township, or municipal corporation appointing authority to establish a mandatory cost savings program in response to COVID-19,"

In line 24, after "sections" insert "124.393,"

After line 26, insert:

**"Sec. 124.393.** (A) As used in this section:

(1) "Exempt employee" means a permanent full-time or permanent part-time county, township, or municipal corporation employee who is not subject to a collective bargaining agreement between a public employer and an exclusive representative.

(2) "Fiscal emergency" means any of the following:

(a) A fiscal emergency declared by the governor under section 126.05 of the Revised Code.

(b) A fiscal watch or fiscal emergency has been declared or determined under section 118.023 or 118.04 of the Revised Code.

(c) Lack of funds as defined in section 124.321 of the Revised Code.

(d) Reasons of economy as described in section 124.321 of the Revised Code.

(3) "Lack of work" has the same meaning as in section 124.321 of the Revised Code.

(B)(1) A county, township, or municipal corporation appointing authority may establish a mandatory cost savings program applicable to its exempt employees. Each exempt employee shall participate in the program of mandatory cost savings for not more than eighty hours, as determined by the appointing authority, in each of state fiscal years 2010 to 2013. The program may include, but is not limited to, a loss of pay or loss of holiday pay. The program may be administered differently among employees based on their classifications, appointment categories, or other relevant distinctions.

(2) After June 30, 2013, a county, township, or municipal corporation appointing authority may implement mandatory cost savings days as described in division (B)(1) of this section that apply to its exempt employees in the event of a fiscal emergency.

(C) A county, township, or municipal corporation appointing authority shall issue guidelines concerning how the appointing authority will implement the cost savings program.

(D)(1) A county, township, or municipal corporation appointing authority may establish a mandatory cost savings program applicable to its exempt employees in the event of a fiscal emergency or lack of work due to COVID-19. Each exempt employee shall participate in the program of mandatory cost savings for not more than four hundred eighty hours, as determined by the appointing authority, in state fiscal year 2021. The program may include, but is not limited to, a loss of pay or loss of holiday

pay. The program may be administered differently among employees based on their classifications, appointment categories, or other relevant distinctions.

(2) A county, township, or municipal corporation appointing authority that establishes a mandatory cost savings program under division (D)(1) of this section shall issue guidelines concerning how the appointing authority will implement the cost savings program."

In line 1384, after "sections" insert "124.393,"

Attest:

Bradley J. Young,  
Clerk.

Senator Peterson moved that pursuant to Senate Rule No. 44, the amendments of the House of Representatives to be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the section, Section 807.10, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 10, nays 22, as follows:

Those who voted in the affirmative were: Senators

Antonio	Craig	Fedor	Kunze
Maharath	O'Brien	Sykes	Thomas
Williams			Yuko-10

Those who voted in the negative were: Senators

Blessing	Brenner	Burke	Coley
Dolan	Eklund	Gavarone	Hackett
Hoagland	Hottinger	Huffman, M.	Huffman, S.
Johnson	Lehner	Manning	McColley
Peterson	Roegner	Schaffer	Schuring
Wilson			Obhof-22

Not having received a constitutional majority, the emergency clause failed of passage.

**Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

**Sub. H. B. No. 104** -Representative Stein

Cosponsors: Representatives Arndt, Becker, Carfagna, Cupp, Dean, Hambley, Hood, Koehler, Lang, LaTourette, Lipps, Manning, G., McClain, Riedel, Romanchuk, Seitz, Wiggam, Wilkin, Callender, Carruthers, DeVitis, Fraizer,

Greenspan, Holmes, A., Patton, Rogers, Stephens, Swearingen, Vitale

To amend section 3748.03 and to enact sections 3748.23, 4164.01, 4164.04, 4164.05, 4164.07, 4164.08, 4164.10, 4164.11, 4164.12, 4164.13, 4164.15, 4164.16, 4164.18, 4164.19, and 4164.20 of the Revised Code to enact the Advanced Nuclear Technology Helping Energize Mankind (ANTHEM) Act by establishing the Ohio Nuclear Development Authority.

**Sub. H. B. No. 263** -Representative Koehler

Cosponsors: Representatives Dean, Becker, Lang, Seitz, Miller, A., Plummer, Riedel, Green, Brent, Edwards, Sheehy, Abrams, Brinkman, Carfagna, Carruthers, Clites, Cross, Cupp, Cutrona, Fraizer, Galonski, Ghanbari, Ginter, Greenspan, Grendell, Hillyer, Holmes, A., Hoops, Howse, Ingram, Jones, Keller, Lanese, LaRe, Lepore-Hagan, Liston, Manning, G., McClain, Miller, J., Patterson, Patton, Perales, Reineke, Robinson, Roemer, Rogers, Russo, Smith, K., Smith, T., Stein, Stephens, Swearingen, Vitale, Weinstein, West, Wiggam

To amend sections 9.78, 101.721, 101.921, 109.572, 121.22, 121.621, 147.01, 147.011, 147.05, 169.16, 169.17, 173.381, 173.391, 903.05, 921.23, 926.05, 935.06, 943.03, 943.031, 943.05, 956.03, 956.15, 1119.05, 1119.08, 1315.04, 1315.101, 1315.23, 1321.04, 1321.37, 1321.53, 1321.64, 1321.74, 1322.10, 1322.21, 1322.24, 1533.342, 1533.631, 1546.16, 1561.12, 1561.23, 1571.012, 1707.19, 1716.05, 1716.07, 1751.05, 2915.081, 2915.082, 3304.31, 3310.43, 3319.088, 3319.225, 3319.30, 3319.31, 3319.39, 3327.10, 3332.05, 3332.09, 3332.11, 3332.12, 3710.06, 3721.07, 3734.42, 3734.44, 3743.03, 3743.16, 3743.70, 3743.99, 3770.05, 3770.073, 3772.01, 3772.07, 3772.10, 3773.42, 3783.03, 3796.03, 3796.04, 3796.09, 3796.10, 3905.06, 3905.062, 3905.07, 3905.14, 3905.15, 3905.72, 3905.85, 3916.15, 3931.11, 3951.04, 4104.09, 4104.19, 4508.03, 4508.04, 4511.76, 4513.34, 4517.04, 4517.09, 4517.12, 4517.13, 4517.14, 4517.171, 4701.01, 4701.06, 4701.07, 4701.08, 4701.09, 4701.17, 4703.07, 4703.10, 4703.34, 4707.02, 4707.07, 4707.09, 4707.15, 4707.19, 4707.22, 4709.07, 4709.08, 4709.10, 4709.13, 4713.28, 4713.30, 4713.31, 4713.34, 4713.69, 4715.10, 4715.101, 4715.21, 4715.27, 4715.30, 4717.05, 4717.051, 4717.061, 4717.14, 4719.03, 4723.09, 4723.092, 4723.28, 4723.651, 4723.75, 4723.76, 4723.84, 4725.12, 4725.121, 4725.18, 4725.19, 4725.44, 4725.48, 4725.501, 4725.52, 4725.53, 4727.03, 4728.03, 4729.071, 4729.08, 4729.09, 4729.16, 4729.90, 4729.92, 4729.96, 4730.10, 4730.101, 4730.11, 4730.25, 4731.08, 4731.09, 4731.171, 4731.19, 4731.22, 4731.291, 4731.299, 4731.52, 4731.531, 4731.573, 4732.091, 4732.10, 4732.17, 4733.11, 4733.20, 4734.20, 4734.202, 4734.23, 4734.27, 4734.31, 4735.07, 4735.09, 4735.10, 4735.13, 4735.27, 4735.28, 4736.08, 4738.04, 4738.07, 4740.05, 4740.06, 4740.061, 4740.10, 4741.10, 4741.12, 4741.22, 4747.04, 4747.05, 4747.051, 4747.10, 4747.12, 4749.03, 4751.20, 4751.202, 4751.21,



4751.32, 4752.09, 4753.061, 4753.10, 4755.06, 4755.07, 4755.08, 4755.11, 4755.47, 4755.62, 4755.64, 4755.70, 4757.10, 4757.101, 4757.22, 4757.23, 4757.27, 4757.28, 4757.29, 4757.36, 4758.20, 4758.24, 4758.30, 4759.02, 4759.051, 4759.06, 4759.061, 4759.07, 4760.03, 4760.032, 4760.13, 4761.04, 4761.05, 4761.051, 4761.06, 4761.07, 4761.09, 4762.03, 4762.031, 4762.13, 4763.05, 4764.05, 4764.06, 4764.13, 4764.14, 4765.11, 4765.17, 4765.301, 4765.55, 4771.18, 4773.03, 4774.03, 4774.031, 4774.13, 4776.04, 4778.02, 4778.03, 4778.04, 4778.14, 4779.09, 4779.091, 4779.18, 4779.28, 4781.09, 4781.18, 4783.04, 4783.09, 5120.55, 5123.169, 5123.1611, 5123.452, and 5502.011; to enact section 9.79; and to repeal section 4743.06 of the Revised Code to revise the initial occupational licensing restrictions applicable to individuals convicted of criminal offenses.

**Sub. H. B. No. 340** -Representative Cupp

Cosponsors: Representatives Hambley, Patterson, Manning, G., Riedel, Seitz, Blair, Ginter, Antani, Carfagna, Carruthers, Clites, Cross, Fraizer, Galonski, Green, Grendell, Hicks-Hudson, Jones, Lanese, LaRe, McClain, Miller, J., Patton, Perales, Reineke, Richardson, Rogers, Russo, Sheehy, Stein, Stephens, West, Wiggam

To amend sections 305.31, 940.01, 940.02, 940.05, 940.06, 940.07, 940.08, 940.10, 940.11, 940.12, 940.13, 940.19, 940.20, 940.21, 940.22, 940.23, 940.26, 940.29, 940.31, 940.32, 940.33, 940.34, 940.35, 6131.01, 6131.04, 6131.05, 6131.06, 6131.07, 6131.08, 6131.09, 6131.10, 6131.11, 6131.12, 6131.13, 6131.14, 6131.15, 6131.16, 6131.17, 6131.19, 6131.21, 6131.22, 6131.23, 6131.24, 6131.25, 6131.27, 6131.28, 6131.30, 6131.32, 6131.33, 6131.34, 6131.36, 6131.42, 6131.43, 6131.47, 6131.50, 6131.51, 6131.52, 6131.55, 6131.57, 6131.60, 6131.63, 6131.631, 6131.64, 6133.01, 6133.02, 6133.03, 6133.04, 6133.041, 6133.05, 6133.06, 6133.07, 6133.08, 6133.09, 6133.10, 6133.11, 6133.14, 6137.01, 6137.02, 6137.03, 6137.04, 6137.05, 6137.051, 6137.06, 6137.07, 6137.08, 6137.09, 6137.10, 6137.11, 6137.111, 6137.112, 6137.12, 6137.13, and 6137.14; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 940.26 (940.24), 940.29 (940.31), 940.33 (940.32), 940.34 (940.33), 940.31 (940.35), 940.32 (940.36), 940.35 (940.37), and 6131.57 (6131.061); to enact new sections 940.25, 940.26, 940.27, 940.28, 940.29, 940.30, and 940.34 and sections 940.38, 940.39, and 6131.101; and to repeal sections 940.18, 940.24, 940.25, 940.26, 940.27, 940.28, 940.29, 940.30, 6131.18, 6131.26, 6131.29, 6131.35, 6131.44, 6131.48, 6131.49, 6131.56, and 6131.62 of the Revised Code to revise the state's drainage laws.

**Sub. H. B. No. 442** -Representatives Roemer, West

Cosponsors: Representatives Becker, Scherer, Cross, Seitz, Lipps, Zeltwanger, Riedel, Miranda, Miller, J., Carruthers, Richardson, Blair, Ingram, Sheehy, Jordan, Baldrige, Brent, Carfagna, Clites, Edwards, Fraizer, Galonski, Ginter, Green, Greenspan, Grendell, Hillyer, Holmes, A., Jones, Koehler, Lanese, McClain, O'Brien, Patterson, Patton, Perales, Plummer, Reineke, Robinson, Rogers, Russo, Smith, K., Stein, Sykes, Weinstein, Wiggam

To amend sections 4701.06 and 4701.17 of the Revised Code to modify the requirements to obtain a certified public accountant certificate.

**H. B. No. 450** -Representative Stephens

Cosponsors: Representatives Hoops, Ginter, Wiggam, Hambley, Abrams, Baldrige, Carruthers, Clites, Cupp, Cutrona, Edwards, Fraizer, Ghanbari, Green, Greenspan, Grendell, Ingram, Jones, Jordan, Keller, Kelly, Lanese, LaRe, Lipps, McClain, Miller, J., O'Brien, Patterson, Perales, Robinson, Roemer, Rogers, Seitz, Smith, T., Stein, Swearingen, Wilkin

To amend sections 319.27, 321.06, 503.28, and 3313.28 and to enact section 117.171 of the Revised Code to require fiscal officers of certain political subdivisions to provide certificates of transition to their successors when leaving office and to modify language regarding the duty of a treasurer of a board of education to deliver to the treasurer's successor all papers related to the affairs of the district.

**H. B. No. 496** -Representatives Stein, Hoops

Cosponsors: Representatives Seitz, McClain, Riedel, Hambley, Kick, Clites, Lipps, Patton, Roemer, Rogers

To enact section 909.19 of the Revised Code to grant specified apiary owners immunity in personal injury or property damage cases involving bee stings.

**Am. H. B. No. 616** -Representatives Miranda, Denson

Cosponsors: Representatives Abrams, Riedel, Galonski, Miller, J., Leland, Howse, Crawley, Kelly, Patton, Lightbody, Ingram, O'Brien, Sobecki, Green, McClain, Sheehy, Brent, Jones, LaRe, Baldrige, Butler, Carfagna, Carruthers, Clites, Cupp, Cutrona, Edwards, Fraizer, Ghanbari, Ginter, Greenspan, Grendell, Holmes, A., Hoops, Lanese, Richardson, Rogers, Russo, Smith, K., Smith, T., Stephens, Strahorn, Swearingen, Upchurch, Weinstein, West, Wilkin

To enact sections 5534.415, 5534.417, 5534.418, 5534.421, 5534.511, 5534.54, 5534.819, 5534.821, 5534.828, 5534.835, 5534.836, 5534.837,

5534.838, 5534.872, 5534.899, 5534.912, 5534.914, 5534.915, and 5534.921 of the Revised Code to designate a portion of Interstate Route 275 in Hamilton County as the "Officer Kaia L. Grant Memorial Highway" and make other memorial designations.

Attest:

Bradley J. Young,  
Clerk.

Said bills were considered the first time.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 127.12 of the Ohio Revised Code, the President of the Senate appoints Senator Stephanie Kunze to the Controlling Board as a temporary replacement for Senator Matt Dolan for the purpose of the board's meeting on Monday, June 15, 2020.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 5540.02(C)(2)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Bob Peterson to serve as a non-voting member on the Lawrence County Transportation Improvement District (TID).

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 5540.02(C)(2)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Bob Peterson to serve as a non-voting member on the Gallia County Transportation Improvement District (TID).

On the motion of Senator Peterson, the Senate recessed until 5:15 p.m.  
The Senate met pursuant to the recess.

On the motion of Senator Peterson, the Senate adjourned until Friday, June 12, 2020 at 9:00 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.