

As Reported by the Senate Insurance Committee

135th General Assembly

Regular Session

2023-2024

Am. H. B. No. 31

Representative Edwards

Cosponsors: Representatives Abdullahi, Barhorst, Blackshear, Brennan, Brent, Brewer, Carruthers, Cross, Dell'Aquila, Denson, Dobos, Galonski, Grim, Humphrey, Jarrells, John, Jones, Lampton, Lightbody, Liston, Mathews, Miller, A., Miller, J., Miranda, Mohamed, Oelslager, Ray, Robinson, Rogers, Russo, Schmidt, Williams



A BILL

To amend sections 4121.021, 4123.30, 4123.34, 1
4123.341, 4123.342, and 4123.36 of the Revised 2
Code to make appropriations for the Bureau of 3
Workers' Compensation for the biennium beginning 4
July 1, 2023, and ending June 30, 2025, to 5
provide authorization and conditions for the 6
operation of the Bureau's programs, to make 7
changes to the Workers' Compensation Law, and to 8
enact a three-day interim budget. 9

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

Section 101.01. That sections 4121.021, 4123.30, 4123.34, 10
4123.341, 4123.342, and 4123.36 of the Revised Code be amended 11
to read as follows: 12

Sec. 4121.021. The industrial commission operating fund is 13
hereby created in the state treasury. The fund shall consist of 14
all moneys transferred to the fund pursuant to division ~~(C)~~(B) 15

of section 4123.342 of the Revised Code. Revenues credited to 16
the fund shall be used for those costs solely attributable to 17
the activities of the commission. 18

Sec. 4123.30. Money contributed by public employers 19
constitutes the "public fund" and the money contributed by 20
private employers constitutes the "private fund." Each such fund 21
shall be collected, distributed, and its solvency maintained 22
without regard to or reliance upon the other. Whenever in this 23
chapter reference is made to the state insurance fund, the 24
reference is to such two separate funds but such two separate 25
funds and the net premiums contributed thereto by employers 26
after adjustments and dividends, except for the amount thereof 27
which is set aside for the investigation and prevention of 28
industrial accidents and diseases pursuant to Section 35 of 29
Article II, Ohio Constitution, any amounts set aside for 30
actuarial services authorized or required by sections 4123.44 31
and 4123.47 of the Revised Code, and any amounts set aside to 32
reinsure the liability of the respective insurance funds for the 33
following payments, constitute a trust fund for the benefit of 34
employers and employees mentioned in sections 4123.01, 4123.03, 35
and 4123.73 of the Revised Code for the payment of compensation, 36
medical services, examinations, recommendations and 37
determinations, nursing and hospital services, medicine, 38
rehabilitation, death benefits, funeral expenses, and like 39
benefits for loss sustained on account of injury, disease, or 40
death provided for by this chapter, the administrative costs of 41
the industrial commission, bureau of workers' compensation board 42
of directors, and bureau of workers' compensation to administer 43
Chapters 4121., 4123., 4125., 4127., 4133., and 4167. of the 44
Revised Code pursuant to section 4123.342 of the Revised Code, 45
and for no other purpose. This section does not prevent the 46

deposit or investment of all such moneys intermingled for such 47
purpose but such funds shall be separate and distinct for all 48
other purposes, and the rights and duties created in this 49
chapter shall be construed to have been made with respect to two 50
separate funds and so as to maintain and continue such funds 51
separately except for deposit or investment. Disbursements shall 52
not be made on account of injury, disease, or death of employees 53
of employers who contribute to one of such funds unless the 54
moneys to the credit of such fund are sufficient therefor and no 55
such disbursements shall be made for moneys or credits paid or 56
credited to the other fund. 57

Sec. 4123.34. It shall be the duty of the bureau of 58
workers' compensation board of directors and the administrator 59
of workers' compensation to safeguard and maintain the solvency 60
of the state insurance fund and all other funds specified in 61
this chapter and Chapters 4121., 4127., and 4131. of the Revised 62
Code. The administrator, in the exercise of the powers and 63
discretion conferred upon the administrator in section 4123.29 64
of the Revised Code, shall fix and maintain, with the advice and 65
consent of the board, for each class of occupation or industry, 66
the lowest possible rates of premium consistent with the 67
maintenance of a solvent state insurance fund and the creation 68
and maintenance of a reasonable surplus, after the payment of 69
legitimate claims for injury, occupational disease, and death 70
that the administrator authorizes to be paid from the state 71
insurance fund for the benefit of injured, diseased, and the 72
dependents of killed employees. In establishing rates, the 73
administrator shall take into account the ~~necessity of ensuring~~ 74
~~sufficient money is set aside in the premium payment security~~ 75
~~fund to cover any defaults in premium obligations~~administrative 76
costs of the industrial commission, board, and bureau of 77

workers' compensation to administer this chapter and Chapters 78
4121., 4125., 4127., 4133., and 4167. of the Revised Code. The 79
administrator shall observe all of the following requirements in 80
fixing the rates of premium for the risks of occupations or 81
industries: 82

(A) The administrator shall keep an accurate account of 83
the money paid in premiums by each of the several classes of 84
occupations or industries, and the losses on account of 85
injuries, occupational disease, and death of employees thereof, 86
and also keep an account of the money received from each 87
individual employer and the amount of losses incurred against 88
the state insurance fund on account of injuries, occupational 89
disease, and death of the employees of the employer. 90

(B) A portion of the money paid into the state insurance 91
fund shall be set aside for the creation of a surplus fund 92
account within the state insurance fund. Any references in this 93
chapter or in Chapter 4121., 4125., 4127., or 4131. of the 94
Revised Code to the surplus fund, the surplus created in this 95
division, the statutory surplus fund, or the statutory surplus 96
of the state insurance fund are hereby deemed to be references 97
to the surplus fund account. The administrator may transfer the 98
portion of the state insurance fund to the surplus fund account 99
as the administrator determines is necessary to satisfy the 100
needs of the surplus fund account and to guarantee the solvency 101
of the state insurance fund and the surplus fund account. In 102
addition to all statutory authority under this chapter and 103
Chapter 4121. of the Revised Code, the administrator has 104
discretionary and contingency authority to make charges to the 105
surplus fund account. The administrator shall account for all 106
charges, whether statutory, discretionary, or contingency, that 107
the administrator may make to the surplus fund account. A 108

revision of basic rates shall be made annually on the first day 109
of July. 110

For policy years commencing prior to July 1, 2016, 111
revisions of basic rates for private employers shall be in 112
accordance with the oldest four of the last five calendar years 113
of the combined accident and occupational disease experience of 114
the administrator in the administration of this chapter, as 115
shown by the accounts kept as provided in this section. For a 116
policy year commencing on or after July 1, 2016, revisions of 117
basic rates for private employers shall be in accordance with 118
the oldest four of the last five policy years combined accident 119
and occupational disease experience of the administrator in the 120
administration of this chapter, as shown by the accounts kept as 121
provided in this section. 122

Revisions of basic rates for public employers shall be in 123
accordance with the oldest four of the last five policy years of 124
the combined accident and occupational disease experience of the 125
administrator in the administration of this chapter, as shown by 126
the accounts kept as provided in this section. 127

In revising basic rates, the administrator shall exclude 128
the experience of employers that are no longer active if the 129
administrator determines that the inclusion of those employers 130
would have a significant negative impact on the remainder of the 131
employers in a particular manual classification. The 132
administrator shall adopt rules, with the advice and consent of 133
the board, governing rate revisions, the object of which shall 134
be to make an equitable distribution of losses among the several 135
classes of occupation or industry, which rules shall be general 136
in their application. 137

(C) The administrator may apply that form of rating system 138

that the administrator finds is best calculated to merit rate or 139
individually rate the risk more equitably, predicated upon the 140
basis of its individual industrial accident and occupational 141
disease experience, and may encourage and stimulate accident 142
prevention. The administrator shall develop fixed and equitable 143
rules controlling the rating system, which rules shall conserve 144
to each risk the basic principles of workers' compensation 145
insurance. 146

~~(D) The administrator, from the money paid into the state-~~ 147
~~insurance fund, shall set aside into an account of the state-~~ 148
~~insurance fund titled a premium payment security fund sufficient-~~ 149
~~money to pay for any premiums due from an employer and-~~ 150
~~uncollected. 151~~

~~The use of the moneys held by the premium payment security-~~ 152
~~fund account is restricted to reimbursement to the state-~~ 153
~~insurance fund of premiums due and uncollected. 154~~

~~(E)~~The administrator may grant discounts on premium rates 155
for employers who meet either of the following requirements: 156

(1) Have not incurred a compensable injury for one year or 157
more and who maintain an employee safety committee or similar 158
organization or make periodic safety inspections of the 159
workplace. 160

(2) Successfully complete a loss prevention program 161
prescribed by the superintendent of the division of safety and 162
hygiene and conducted by the division or by any other person 163
approved by the superintendent. 164

~~(F) (1)~~(E) (1) In determining the premium rates for the 165
construction industry the administrator shall calculate the 166
employers' premiums based upon the actual remuneration 167

construction industry employees receive from construction 168
industry employers, provided that the amount of remuneration the 169
administrator uses in calculating the premiums shall not exceed 170
an average weekly wage equal to one hundred fifty per cent of 171
the statewide average weekly wage as defined in division (C) of 172
section 4123.62 of the Revised Code. 173

(2) Division ~~(F)(1)~~(E)(1) of this section shall not be 174
construed as affecting the manner in which benefits to a 175
claimant are awarded under this chapter. 176

(3) As used in division ~~(F)~~(E) of this section, 177
"construction industry" includes any activity performed in 178
connection with the erection, alteration, repair, replacement, 179
renovation, installation, or demolition of any building, 180
structure, highway, or bridge. 181

~~(G)~~(F) The administrator shall not place a limit on the 182
length of time that an employer may participate in the bureau of 183
workers' compensation drug free workplace and workplace safety 184
programs. 185

Sec. 4123.341. The administrative costs of the industrial 186
commission, the bureau of workers' compensation board of 187
directors, and the bureau of workers' compensation shall be 188
those costs and expenses that are incident to the discharge of 189
the duties and performance of the activities of the industrial 190
commission, the board, and the bureau under this chapter and 191
Chapters 4121., 4125., 4127., ~~4131.,~~4133., and 4167. of the 192
Revised Code, and all such costs shall be borne by the state and 193
by other employers amenable to this chapter as follows: 194

(A) In addition to the contribution required of the state 195
under sections 4123.39 and 4123.40 of the Revised Code, the 196

state shall contribute the sum determined to be necessary under 197
section 4123.342 of the Revised Code. 198

(B) The director of budget and management may allocate the 199
state's share of contributions in the manner the director finds 200
most equitably apportions the costs. 201

(C) The counties and taxing districts therein shall 202
contribute such sum as may be required under ~~section~~ sections 203
4123.34, 4123.342, and 4123.41 of the Revised Code. 204

(D) The private employers shall contribute the sum 205
required under ~~section~~ sections 4123.34 and 4123.342 of the 206
Revised Code. 207

Sec. 4123.342. (A) The administrator of workers' 208
compensation shall allocate among counties and taxing districts 209
therein as a class, the state and its instrumentalities as a 210
class, private employers who are insured under the private fund 211
as a class, and self-insuring employers as a class their fair 212
shares of the administrative costs which are to be borne by such 213
employers ~~under division (D) of section 4123.341 of the Revised~~ 214
~~Code,~~ separately allocating to each class those costs solely 215
attributable to the activities of the industrial commission and 216
those costs solely attributable to the activities of the bureau 217
of workers' compensation board of directors, and the bureau of 218
workers' compensation in respect of the class, allocating to any 219
combination of classes those costs attributable to the 220
activities of the industrial commission, board, or bureau in 221
respect of the classes, and allocating to all four classes those 222
costs attributable to the activities of the industrial 223
commission, board, and bureau in respect of all classes. ~~The~~ 224
~~administrator shall separately calculate each employer's~~ 225
~~assessment in the class, except self-insuring employers, on the~~ 226

~~basis of the following three factors: payroll, paid 227~~
~~compensation, and paid medical costs of the employer for those 228~~
~~costs solely attributable to the activities of the board and the 229~~
~~bureau. The administrator shall separately calculate each 230~~
~~employer's assessment in the class, except self-insuring 231~~
~~employers, on the basis of the following three factors: payroll, 232~~
~~paid compensation, and paid medical costs of the employer for 233~~
~~those costs solely attributable to the activities of the 234~~
~~industrial commission. The administrator shall separately 235~~
~~calculate each self-insuring employer's assessment in accordance 236~~
~~with section 4123.35 of the Revised Code for those costs solely 237~~
~~attributable to the activities of the board and the bureau. The 238~~
administrator shall separately calculate each self-insuring 239
employer's assessment administrative costs in accordance with 240
section 4123.35 of the Revised Code ~~for those costs solely 241~~
~~attributable to the activities of the industrial commission. In 242~~
a timely manner, the industrial commission shall provide to the 243
administrator, the information necessary for the administrator 244
to allocate and calculate, with the approval of the chairperson 245
of the industrial commission, for each class of employer as 246
described in this division, the costs solely attributable to the 247
activities of the industrial commission. 248

(B) ~~The administrator shall divide the administrative cost 249~~
~~assessments collected by the administrator into two 250~~
~~administrative assessment accounts within the state insurance 251~~
~~fund. One of the administrative assessment accounts shall 252~~
~~consist of the administrative cost assessment collected by the 253~~
~~administrator for the industrial commission. One of the 254~~
~~administrative assessment accounts shall consist of the 255~~
~~administrative cost assessments collected by the administrator 256~~
~~for the bureau and the board. The administrator may invest the 257~~

~~administrative cost assessments in these accounts on behalf of~~ 258
~~the bureau and the industrial commission as authorized in~~ 259
~~section 4123.44 of the Revised Code. In a timely manner, the~~ 260
~~administrator shall provide to the industrial commission the~~ 261
~~information and reports the commission deems necessary for the~~ 262
~~commission to monitor the receipts and the disbursements from~~ 263
~~the administrative assessment account for the industrial~~ 264
~~commission.~~ 265

~~(C) The administrator or the administrator's designee~~ 266
~~shall transfer moneys from the state insurance fund as necessary~~ 267
~~from the for the administrative assessment account identified~~ 268
~~for costs of the bureau and the board to the workers'~~ 269
~~compensation fund for the use of the bureau and the board. As~~ 270
~~necessary and upon the authorization of the industrial~~ 271
~~commission, the administrator or the administrator's designee~~ 272
~~shall transfer moneys from ~~the administrative assessment account~~~~ 273
~~identified for the industrial commission state insurance fund~~ 274
~~for the commission's administrative costs to the industrial~~ 275
~~commission operating fund created under section 4121.021 of the~~ 276
~~Revised Code. ~~To the extent that the moneys collected by the~~~~ 277
~~administrator in any fiscal biennium of the state equal the sum~~ 278
~~appropriated by the general assembly for administrative costs of~~ 279
~~the industrial commission, board, and bureau for the biennium,~~ 280
~~the moneys shall be paid into the workers' compensation fund and~~ 281
~~the industrial commission operating fund of the state, as~~ 282
~~appropriate, and any remainder shall be retained in those funds~~ 283
~~and applied to reduce the amount collected during the next~~ 284
~~biennium.~~ 285

(C) Sections 4123.41, 4123.35, and 4123.37 of the Revised 286
Code apply to the collection of assessments from public and 287
private employers respectively, except that for boards of county 288

hospital trustees that are self-insuring employers, only those 289
provisions applicable to the collection of assessments for 290
private employers apply. 291

Sec. 4123.36. Whenever an employer fails to pay a premium 292
due and the administrator of workers' compensation determines 293
the employer's account to be uncollectible, the administrator 294
shall cover the default ~~by transfer of money from the premium-~~ 295
~~payment security fund account to the state insurance fund.~~ 296
Thereafter, the employer shall be considered a noncomplying 297
employer under this chapter and shall not be entitled to the 298
benefits and protection of this chapter. 299

Section 101.02. That existing sections 4121.021, 4123.30, 300
4123.34, 4123.341, 4123.342, and 4123.36 of the Revised Code are 301
hereby repealed. 302

Section 200.10. All items in this act are hereby 303
appropriated out of any moneys in the state treasury to the 304
credit of the designated fund. For all appropriations made in 305
this act, those in the first column are for fiscal year 2024, 306
and those in the second column are for fiscal year 2025. 307

308

1 2 3 4 5

A BWC BUREAU OF WORKERS' COMPENSATION

B Dedicated Purpose Fund Group

C 7023 855407 Claims, Risk and Medical \$126,096,491 \$127,366,065
Management

D	7023	855408	Fraud Prevention	\$19,099,498	\$18,486,443
E	7023	855409	Administrative Services	\$137,585,121	\$142,777,652
F	7023	855410	Attorney General Payments	\$6,080,080	\$6,080,080
G	8220	855606	Coal Workers' Fund	\$195,832	\$195,832
H	8230	855608	Marine Industry	\$81,508	\$81,508
I	8250	855605	Disabled Workers Relief Fund	\$204,981	\$204,981
J	8260	855609	Safety and Hygiene Operating	\$23,613,361	\$24,486,602
K	8260	855610	Safety Grants	\$35,000,000	\$35,000,000
L	8260	855611	Health and Safety Initiative	\$3,000,000	\$3,000,000
M	8260	855612	Safety Campaign	\$1,500,000	\$1,500,000
N	8260	855613	Research Grants	\$1,000,000	\$1,000,000
O	8260	855618	Substance Use Recovery and Workplace Safety Program	\$4,000,000	\$4,000,000
P	8260	855619	Safety and Health Workforce Safety Innovation Center	\$15,000,000	\$15,000,000
Q	TOTAL DPF Dedicated Purpose Fund Group			\$372,456,872	\$379,179,163

R	Federal Fund Group			
S	3490	855601	OSHA Enforcement	\$1,876,339 \$1,876,338
T	3FW0	855614	BLS SOII Grant	\$195,104 \$195,104
U	TOTAL FED	Federal Fund Group		\$2,071,443 \$2,071,442
V	TOTAL ALL BUDGET FUND GROUPS			\$374,528,315 \$381,250,605

WORKERS' COMPENSATION FRAUD UNIT 309

Of the foregoing appropriation item 855410, Attorney 310
 General Payments, \$828,200 in each fiscal year shall be used to 311
 fund the expenses of the Workers' Compensation Fraud Unit within 312
 the Attorney General's Office. These payments shall be processed 313
 at the beginning of each quarter of each fiscal year and 314
 deposited into the Workers' Compensation Section Fund (Fund 315
 1950) used by the Attorney General. 316

SAFETY AND HYGIENE 317

Notwithstanding section 4121.37 of the Revised Code, the 318
 Treasurer of State shall remit \$23,613,361 cash in fiscal year 319
 2024 and \$24,486,602 cash in fiscal year 2025 from the State 320
 Insurance Fund to the state treasury to the credit of the Safety 321
 and Hygiene Fund (Fund 8260). 322

SAFETY GRANTS 323

Notwithstanding section 4121.37 of the Revised Code, the 324
 Treasurer of State shall remit \$35,000,000 cash in fiscal year 325
 2024 and \$35,000,000 cash in fiscal year 2025 from the State 326
 Insurance Fund to the state treasury to the credit of the Safety 327
 and Hygiene Fund (Fund 8260) to be used for Safety Grants. 328

HEALTH AND SAFETY INITIATIVE	329
Notwithstanding section 4121.37 of Revised Code, the	330
Treasurer of State shall remit \$3,000,000 cash in fiscal year	331
2024 and \$3,000,000 cash in fiscal year 2025 from the State	332
Insurance Fund to the state treasury to the credit of the Safety	333
and Hygiene Fund (Fund 8260). These amounts shall be used under	334
appropriation item 855611, Health and Safety Initiative, for the	335
purpose of operating a health and wellness program.	336
SAFETY CAMPAIGN	337
Notwithstanding section 4121.37 of the Revised Code, the	338
Treasurer of State shall remit \$1,500,000 cash in fiscal year	339
2024 and \$1,500,000 cash in fiscal year 2025 from the State	340
Insurance Fund to the state treasury to the credit of the Safety	341
and Hygiene Fund (Fund 8260). These amounts shall be used under	342
appropriation item 855612, Safety Campaign, for the purpose of	343
operating a statewide safety awareness and education campaign.	344
FEDERAL GRANT PROGRAMS	345
The foregoing appropriation item 855609, Safety and	346
Hygiene Operating, may be used to provide the state match for	347
federal grant funding received by the Division of Safety and	348
Hygiene.	349
VOCATIONAL REHABILITATION	350
The Bureau of Workers' Compensation and the Opportunities	351
for Ohioans with Disabilities Agency may enter into an	352
interagency agreement for the provision of vocational	353
rehabilitation services and staff to mutually eligible clients.	354
The Bureau may provide funds from the State Insurance Fund to	355
fund vocational rehabilitation services and staff in accordance	356
with the interagency agreement.	357

RESEARCH GRANTS	358
Notwithstanding section 4121.37 of the Revised Code, the	359
Treasurer of State shall remit \$1,000,000 cash in fiscal year	360
2024 and \$1,000,000 cash in fiscal year 2025 from the State	361
Insurance Fund to the state treasury to the credit of the Safety	362
and Hygiene Fund (Fund 8260). These amounts shall be used under	363
appropriation item 855613, Research Grants, for the purpose of	364
operating the occupational safety and health research program.	365
SUBSTANCE USE RECOVERY AND WORKPLACE SAFETY PROGRAM	366
Notwithstanding section 4121.37 of the Revised Code, the	367
Treasurer of State shall remit \$4,000,000 cash in fiscal year	368
2024 and \$4,000,000 cash in fiscal year 2025 from the State	369
Insurance Fund to the state treasury to the credit of the Safety	370
and Hygiene Fund (Fund 8260). These amounts shall be used under	371
appropriation item 855618, Substance Use Recovery and Workplace	372
Safety Program, for the purpose of operating a substance use	373
recovery and workplace safety program.	374
SAFETY AND HEALTH WORKFORCE SAFETY INNOVATION CENTER	375
Notwithstanding section 4121.37 of the Revised Code, the	376
Treasurer of State shall remit \$15,000,000 cash in fiscal year	377
2024 and \$15,000,000 cash in fiscal year 2025 from the State	378
Insurance Fund to the state treasury to the credit of the Safety	379
and Hygiene Fund (Fund 8260). These amounts shall be used under	380
appropriation item 855619, Safety and Health Workforce Safety	381
Innovation Center, for the purpose of funding a workforce safety	382
innovation center program.	383
ADMINISTRATIVE COST FUND	384
Notwithstanding section 4123.341 of the Revised Code, the	385
Treasurer of State shall remit up to \$25,000,000 cash in fiscal	386

year 2024 and \$25,000,000 cash in fiscal year 2025 from the 387
State Insurance Fund to the state treasury to the credit of the 388
Workers' Compensation Fund (Fund 7023). 389

Section 200.20. DEPUTY INSPECTOR GENERAL FOR BWC AND OIC 390
FUNDING 391

To pay for the FY 2024 costs related to the Deputy 392
Inspector General for the Bureau of Workers' Compensation and 393
Industrial Commission, on July 1, 2023, and January 1, 2024, or 394
as soon as possible thereafter, the Director of Budget and 395
Management shall transfer \$212,500 cash from the Workers' 396
Compensation Fund (Fund 7023) to the Deputy Inspector General 397
for the Bureau of Workers' Compensation and Industrial 398
Commission Fund (Fund 5FT0). 399

To pay for the FY 2025 costs related to the Deputy 400
Inspector General for the Bureau of Workers' Compensation and 401
Industrial Commission, on July 1, 2024, and January 1, 2025, or 402
as soon as possible thereafter, the Director of Budget and 403
Management shall transfer \$212,500 cash from the Workers' 404
Compensation Fund (Fund 7023) to the Deputy Inspector General 405
for the Bureau of Workers' Compensation and Industrial 406
Commission Fund (Fund 5FT0). 407

If additional amounts are needed, the Inspector General 408
may seek Controlling Board approval for additional transfers of 409
cash and to increase the amount appropriated in appropriation 410
item 965604, Deputy Inspector General for the Bureau of Workers' 411
Compensation and Industrial Commission. 412

Section 300.10. (A) There is hereby appropriated for the 413
period July 1, 2023, through July 3, 2023, to each agency, 414
board, commission, department, office, authority, or other 415

organization for which an operating appropriation was made in, 416
or accounted for as though made in, H.B. 110 of the 134th 417
General Assembly, including the legislative and judicial 418
branches and their respective agencies, out of money in the 419
state treasury to the credit of the respective funds of the 420
state from which appropriations were made for the 2023 fiscal 421
year, for each specific item for which an appropriation was made 422
by the 134th General Assembly, taking into account any 423
Controlling Board actions, an amount equal to the following: 424

(1) One hundred per cent of three three hundred sixty- 425
fifths of each item's expenditure levels for the 2023 fiscal 426
year. 427

(2) Amounts necessary to reappropriate the unexpended 428
balance of operating appropriation or reappropriation that a 429
state agency lawfully encumbered prior to the close of fiscal 430
year 2023. 431

(3) Amounts necessary to support mission critical 432
expenditures through July 3, 2023, that are not otherwise 433
authorized in this section. 434

(B) There is also hereby appropriated amounts necessary to 435
pay any debt service and financing costs on general obligation 436
bonds and notes, lease rental payments pursuant to lease 437
agreements on bonds and notes, or other obligations of the state 438
issued under the Ohio Constitution and acts of the General 439
Assembly scheduled for payment during that period. 440

(C) The Director of Budget and Management shall make any 441
determinations necessary to decide to effectuate this section. 442
Any expenditures authorized by the Director of Budget and 443
Management under this section are hereby appropriated. The 444

Director of Budget and Management may transfer cash between 445
funds from which cash was transferred for this purpose. 446

(D) All appropriations contained in this section shall be 447
encompassed within the subsequent main operating appropriation 448
act of the 135th General Assembly, and the Director of Budget 449
and Management shall account for expenditures from 450
appropriations contained in this section accordingly. 451

Section 741.20. On the effective date of this section, the 452
premium payment security transfer fund account is abolished and 453
any balance in the account is transferred to the state insurance 454
fund. 455

Section 801.10. Law contained in the Main Operating 456
Appropriations Act of the 135th General Assembly that applies 457
generally to the appropriations made in that act also applies 458
generally to the appropriations made in this act. 459

Section 806.10. The provisions of law contained in this 460
act, and their applications, are severable. If any provision of 461
law contained in this act, or if any application of any 462
provision of law contained in this act, is held invalid, the 463
invalidity does not affect other provisions of law contained in 464
this act and their applications that can be given effect without 465
the invalid provision or application. 466

Section 812.20. This section and sections 200.10, 200.20, 467
300.10, 801.10, and 806.10 of this act are exempt from the 468
referendum under Ohio Constitution, Article II, Section 1d and 469
section 1.471 of the Revised Code and therefore take effect 470
immediately when this act becomes law. 471