

Sub. H.B. 1 of the 128th GA--SC-4278 C&P OMNIBUS SYNOPSIS INDEX

Amendment No.	Omnibus Synopsis Page No.
SC-3569-2	S-1
SC-3921	S-23
SC-3925	S-24
SC-3926	S-24
SC-3930	S-1
SC-3934	S-24
SC-3935	S-25
SC-3936	S-2
SC-3938	S-25
SC-3939	S-25
SC-3941	S-2
SC-3942	S-2
SC-3945	S-26, 27
SC-3950	S-27
SC-3964-1	S-3
SC-3971	S-3
SC-3972	S-4
SC-3989	S-4
SC-3992	S-4
SC-3996	S-5
SC-3998	S-5
SC-4000	S-6

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Amendment No.	Omnibus Synopsis Page No.
SC-4003	S-6
SC-4007-1	S-6
SC-4008-1	S-7
SC-4009-1	S-7
SC-4010	S-8
SC-4011	S-8
SC-4019	S-8
SC-4023	S-9
SC-4026	S-9, 10
SC-4031	S-10
SC-4033	S-10
SC-4034	S-11
SC-4037-1	S-11
SC-4039	S-11
SC-4040	S-11, 12
SC-4044	S-12
SC-4046	S-12
SC-4054	S-12
SC-4057	S-13
SC-4064-1	S-28
SC-4067	S-13
SC-4069	S-13, 14
SC-4085	S-14

Amendment No.	Omnibus Synopsis Page No.
SC-4092	S-15
SC-4097-1	S-15
SC-4098	S-15
SC-4110	S-16
SC-4114	S-17
SC-4121	S-17
SC-4133	S-18
SC-4137	S-18
SC-4140	S-19
SC-4142	S-19
SC-4144	S-19-22
SC-4145	S-22
SC-4146	S-23
SC-4147	S-23
SC-4149	S-23
SC-4153-1	S-27, 28
SC-4180-1	S-28
SC-4181	S-28
SC-4182	S-29
SC-4185	S-30
SC-4192	S-30
SC-4199	S-30
SC-4200-2	S-30

Amendment No.	Omnibus Synopsis Page No.
SC-4206	S-31
SC-4228	S-31
SC-4241	S-31, 32
SC-4243	S-32
SC-4246	S-33
SC-4247	S-33
SC-4248-2	S-34
SC-4253	S-34
SC-4254	S-34
SC-4260	S-35
SC-4261	S-35
SC-4269	S-35
SC-4271	S-35
SC-4277	S-36

SYNOPSIS

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## Secretary of State

## Section 387.10

Requires the Secretary of State to distribute \$2,645,076 to counties, in specified amounts, to compensate them for expenses related to contractual voting equipment maintenance fees, voting equipment software or firmware license fees, voting equipment support fees, and the acquisition of replacement or additional voting equipment incurred during the 2010 calendar year. 3569-2

Requires that each county enter into an agreement with the Secretary of State governing the use of its distribution, and subjects the release of these distributions to Controlling Board approval.

IOTA Accounts in Escrow Transactions Affecting Residential  
and Commercial Real Property

R.C. 1349.20, 1349.22, and 3953.231

Provides that an IOTA account for the deposit of all non-directed escrow funds that meet the requirements R.C. 1349.20 to 1349.22 (requirements for disbursements from escrow accounts in escrow transactions) are those types of funds received by the agent to effect an escrow transaction; defines "escrow transaction" for purposes of IOTA accounts as a transaction in which a person, for the purpose of effecting and closing the sale, purchase, exchange, transfer, encumbrance, or lease of an interest in "commercial or residential real property" to another person, provides a written instrument, money, or anything of value to an escrow or closing agent to be held by the agent until a specified event occurs or until the performance of a prescribed condition; expands the requirements (R.C. 1349.20 to 1349.22) for disbursements from escrow accounts that currently apply to escrow transactions concerning residential real property to escrow transactions concerning commercial real property; and specifies that these provisions take effect January 1, 2010.

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**Renewable Energy Resources**

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R.C. 4928.64

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Allows an electric distribution utility or electric services company to comply with the renewable energy resource requirements of continuing law through a renewable resource that is eligible to receive a renewable energy credit through a renewable energy certificate pursuant to the laws of any state served by a regional transmission organization that also serves Ohio provided such eligibility occurred on or after January 1, 1998.

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**ICF/MR Off-Site Day Programming**

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R.C. 5111.233

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Requires, for purpose of Medicaid reimbursement, that the costs of day programming be part of the direct care costs of an intermediate care facility for the mentally retarded (ICF/MR) as off-site day programming if the area in which the day programming is provided is not certified as an ICF/MR and regardless of whether (1) the area in which the day programming is provided is less than 200 feet away from the ICF/MR or (2) the provider of the day programming is a related party to the ICF/MR.

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34 **Certificate of Need Program**35 **R.C. 3702.59 and 3702.594**

Requires the Director of Health to accept applications under the Certificate of Need (CON) Program for an increase in beds in an existing nursing home if all of the following conditions are met: (1) the proposed increase is attributable solely to a relocation of beds from one existing nursing home to another in a contiguous county, (2) not more than 30 beds are proposed for relocation, (3) beds will remain in the original county after the relocation, and (4) the relocated beds are proposed to be licensed as nursing home beds.

3942

Port Authority Plans; Emergency Clause	222
R.C. 4582.07, 4582.08, 4582.32, and 4582.33; Section _____	223
Restricts the current requirement for all port authorities to prepare a plan for future development, construction, and improvement of the port and its facilities to a requirement for such plans for port authority maritime facilities only; limits the effect of the plan on port authority financial instruments and contracts; and revises notification requirements.	224 225 226 227 228 229
Relocations of a Local School District from Its Current Educational Service Center to Another	121 122
R.C. 3311.059; Section 265.70.41	123
Modifies the procedure for the State Board of Education's consideration of a resolution by a local school district to sever from its current educational service center (ESC) and annex to another adjacent ESC by (1) specifying that the State Board must consider the impacts on the district's current ESC (as well as the proposed new ESC as specified under current law); (2) specifying the effects the State Board must consider as the financial, staffing, programmatic, and other impacts, including the effect of the relocation on the cost of operation of both ESCs; (3) requiring the State Board to consider the resolution on at least two meeting agendas (which are not consent agendas); (4) requiring at least 30 days between the State Board's first hearing of the matter and its vote on it; (5) requiring the State Board to offer to take public testimony at each hearing on the matter; and (6) requiring the State Board to provide written notice of each hearing to both ESC governing boards.	124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139
Provides that the amendment's changes to the procedure for the State Board's consideration of a local school district's relocation to a new ESC apply to any such resolution pending on the date the bill becomes law.	140 141 142 143

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E-School Instructional Spending 48

R.C. 3314.085 49

Adds computers and software to the instructional items for 50  
 which Internet- or computer-based community schools (e-schools) 51  
 may use the per pupil amount of state funds calculated for base 52 3972  
 classroom teachers. (Current law allows those funds to be used 53  
 only for teachers, curriculum, academic materials other than 54  
 computers, and other instructional purposes designated by the 55  
 Superintendent of Public Instruction.) 56

10 Help Me Grow Home-Visiting Programs

11 Section 289.20

12 Changes the maximum age of a caregiver's child or children 3989  
 13 that an eligible home-visiting program may serve from under the  
 14 age of entry into kindergarten to under the age of three.

Rio Grande Community College 38

R.C. 3354.26 39

Modifies the current law, which permits Rio Grande Community 40  
 College to contract with the University of Rio Grande for 41  
 operation of the community college and have the community college 42 3992  
 president serve also as president of the university, by specifying 43  
 (1) the community college board may enter into "one or more 44  
 contracts" with the university for "any services for the operation 45  
 of the community college," except the services of a treasurer or 46  
 other fiscal officer; (2) through those contracts the community 47  
 college "may acquire the services of the president of the 48  
 university and other personnel;" (3) the community college board 49  
 retains exclusive authority to employ and make personnel decisions 50 3992  
 regarding the college's treasurer or other fiscal officer and 51  
 other employees the board deems necessary; and (4) the community 52  
 college board may by a majority vote of its membership terminate a 53  
 contract with the university. 54



57           **Loan Guarantees for Historic Rehabilitation Projects**

58           **R.C. 166.061**

59           Requires the Director of Development to guarantee loans "in  
60 connection with" rehabilitation projects that have been approved  
61 for historic rehabilitation tax credits. The source of the  
62 funds securing the loan guarantees would be federal economic  
63 stimulus money, which the amendment requires the Director to  
64 seek (up to \$75 million). A guarantee would be for the amount  
65 of the tax credit. Rehabilitation projects approved in the  
66 first round of rehabilitation tax credit awards would be given  
67 priority over projects approved in later rounds.

3996

**Qualified Pharmacy Technicians**

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**R.C. 4729.42**

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Modifies the timeframes established by Sub. S.B. 203 of the  
127th General Assembly for compliance with its requirements to  
become a qualified pharmacy technician as follows:

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(1) Requires persons employed as pharmacy technicians on S.B.  
203's effective date (April 1, 2009) to become qualified by  
October 1, 2010, rather than April 1, 2010;

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(2) Requires persons employed after S.B. 203's effective date  
to become qualified within one year after initial employment,  
rather than 210 days after initial employment;

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(3) Requires persons who complete a pharmacy technician  
program operated by a vocational school to become qualified within  
one year, rather than 210 days after completing the program.

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Specifies that any examination materials the State Board of  
Pharmacy requires a person that develops or administers a pharmacy  
technician examination to submit to the Board for approval are not  
public records.

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10 Exemption from licensure as a Freestanding Diagnostic  
11 Imaging Center

12 R.C. 3702.30

13 Specifies that the bill's provision exempting an ambulatory 4000  
14 surgical facility from licensure as a freestanding diagnostic  
15 imaging center applies when the facility provides diagnostic  
16 imaging "in conjunction with or during any portion of a surgical  
17 procedure," rather than when it provides the imaging "during a  
18 surgical procedure."

18 Renewable Energy

19 R.C. 3706.25 and 4928.01

20 Redefines "renewable energy" for the purposes of both Ohio 4003  
21 air quality development/advanced energy projects law and  
22 renewable energy benchmarks law, so that the term includes power  
23 produced by solid wastes, meaning such unwanted residual solid

24 or semisolid material from industrial, commercial, agricultural,  
25 and community operations, excluding infectious waste or a  
26 hazardous waste and excluding earth or material from  
27 construction, mining, or demolition, or other waste materials of  
28 the type that normally would be included in demolition debris,  
29 nontoxic fly ash and bottom ash, including at least ash that 4003  
30 results from coal combustion of coal and ash that results from  
31 coal scrap tire combustion where scrap tires comprise not more  
32 than 50% of heat input in any month, spent nontoxic foundry  
33 sand, and slag and other substances that are not harmful or  
34 inimical to public health, and includes, but is not limited to,  
35 garbage, scrap tires, combustible and noncombustible material,  
36 street dirt, and debris.

62 Ohio Task Force on Transportation Funding and Fuel Taxes

63 Section \_\_\_\_.

64 Creates the Ohio Task Force on Transportation Funding and  
65 Fuel Taxes, consisting of six members from the General Assembly,  
66 four designees from the executive branch, and ten members 4007-1  
67 representing specified industry groups; requires the Task Force  
68 to consider current transportation funding, transportation  
69 funding needs, and funding options; and requires a report with  
70 recommendations by June 30, 2010.

Board of Regents 56

Sections 233.30.20 and 301.20.20 57

Amends H.B. 496 of the 127th General Assembly to eliminate 58

Higher Education Improvement Fund (Fund 7034) capital 59

appropriation item C24036, Wood County Environmental Health 60

Project, under Bowling Green State University with an 61

appropriation of \$700,000 for the FY 2009-FY 2010 biennium and 62

create Fund 7034 capital appropriation items C24041, BGSU Ice 63

Arena, with an appropriation of \$300,000; C24042, Water Quality 64

Lab Equipment, with an appropriation of \$200,000; and C24043, 65

Center for Microscopy and Microanalysis, with an appropriation of 66

\$200,000 under Bowling Green State University. 67

Amends H.B. 562 of the 127th General Assembly to eliminate 68

Higher Education Improvement Fund (Fund 7034) capital 69

appropriation item C24039, Wood County Health District Facility, 70

under Bowling Green State University with an appropriation of 71

\$1,200,000 for the FY 2009-FY 2010 biennium and create Fund 7034 72

capital appropriation item C24041, BGSU Ice Arena, under Bowling 73

Green State University with an appropriation of the same amount. 74

# 86 LSC Technical

87 R.C. 120.52, 174.06, 3301.0715, 3301.16, 3301.0719,

88 3301.122, 3301.61, 3301.63, 3301.64, 3313.6410, 3314.012,

89 3314.19, 3317.01, 3319.088, 3333.28, 5907.111, and 5111.861

90 Sections 259.20.90, 271.10, 309.30.72, 371.20.06, 393.10,

91 and \_\_\_\_\_

92 Corrects technical and grammatical errors.

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**Rehabilitation Services Commission Funding** 121

R.C. 3304.16, 3304.181, and 3304.182 122

Provides that if the total of all funds from nonfederal  
sources to support the Rehabilitation Services Commission does not  
comply with federal law or would cause the state to lose federal  
funding, the Commission must solicit additional funds from, and  
enter into agreements with, private or public entities until the  
total funds available are sufficient for the Commission to receive  
federal funding at the maximum amount possible.

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129**Long-Term Care Consultations**

R.C. 173.42

Removes a provision that would have required the Long-Term  
Care Consultation Program to include procedures for monitoring  
the quality of services and supports and the health and welfare  
of the recipients, including procedures for assessing whether

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the services and supports were provided in a culturally  
competent manner.

Includes Medicaid waiver components administered by the  
Department of Aging in the bill's provision requiring the  
Program to include procedures for assisting individuals in  
obtaining access to, and coordination of, health and supportive  
services.

4011**Use of Value-Added Data to Evaluate Teachers and Principals**

R.C. 3319.22(B) and (C) and 3319.223

Reinstates the Executive provision requiring an applicant  
for a professional, senior, or lead educator license or for a  
principal license to demonstrate that the applicant's students  
have achieved a value-added measure designated by the  
Superintendent of Public Instruction.

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Reinstates the Executive provision requiring the Ohio  
Teacher Residency Program established by the bill to include the  
use of measures of student academic gain to evaluate the  
effectiveness of program participants.

## 19     Serving or Consumption of Alcohol on State Property

20     R.C. 4301.85

21     States that the serving or consumption of beer or  
22     intoxicating liquor must not be prohibited in a facility that is  
23     owned or leased by the state and that is used by visiting  
24     foreign military units for training.

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Ohio Tuition Trust Authority; Ohio Tuition Trust Authority     552  
Board     553

R.C. 3334.03, 3334.07, 3334.08, 3334.11, and 3334.12 and     554  
Section 733:     555

Does all of the following:     556

(1) States that the Ohio Tuition Trust Authority is within     557  
the office of the Chancellor of the Ohio Board of Regents;     558

(2) Authorizes the Ohio Tuition Trust Authority to establish     559  
and administer more than one plan for the sale of tuition units,     560  
and requires money received under the plans to be segregated and     561  
identified within the Ohio Tuition Trust Fund;     562

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(3) Eliminates the existing requirement that the Public     563  
Employees Retirement Board, with the approval of the Authority,     564  
exercise the investment powers of the Authority, and instead     565  
authorizes the Authority to enter into an agreement with any     566  
business, entity, or governmental agency to perform the investment     567

powers of the Authority; 568

(4) Creates the Ohio Tuition Trust Authority Board, which 569  
consists generally of the members of the current Ohio Tuition 570  
Trust Authority, specifies the duties and responsibilities of the 571  
Board under the College Savings Program Law, and revises the role 572  
of the Chancellor on the Ohio Tuition Trust Authority Board from 573  
an ex officio voting member as in current law to an ex officio 574  
nonvoting member under the amendment; 575

(5) States that the Ohio Tuition Trust Authority is required 576  
to perform all other duties and responsibilities under the College 577  
Savings Program Law that are not assigned to the new Board by the 578  
amendment; and 579

(6) Requires the Authority to obtain the advice and consent 580  
of the Board in the hiring of the executive director of the 581  
Authority, and authorizes the Board to remove the executive 582  
director at any time subject to the advice and consent of the 583  
Chancellor. 584

16 **Sales and Use Tax Exemption: Employment Services**

17 **R.C. 5739.01(JJ) (3)**

18 Exempts from sales and use taxation employment service 4031  
19 contracts that last at least one year and provide personnel for  
20 the construction, improvement, repair, or maintenance of real  
21 property when the personnel are subject to a multi-employer  
22 collective bargaining agreement.

**Radiology Practitioner Assistants**

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**R.C. 4774.02**

30

Exempts certain radiology practitioner assistants from the 31  
requirement to obtain from the State Medical Board a certificate 32  
to practice as a radiology assistant. 33

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Collection of Long-Term Care Facilities' Medicaid Debts 454

R.C. 5111.65, 5111.68, 5111.681, 5111.685, 5111.686, and 455  
5111.689 456 4034

Revises the law governing the collection of a long-term care 457  
facility's Medicaid debts when the facility undergoes a change of 458  
operator, closes, or ceases to participate in Medicaid. 459

### 36 Attorney General and Auditor of State

#### 37 Sections 223.10 and 225.10

38 Authorizes automatic appropriation increases for the  
39 following appropriation items: (1) GSF appropriation item  
40 055636, Corrupt Activity Investigation and Prosecution, (2)  
41 Holding Account Redistribution Fund appropriation item 055631,  
42 General Holding Account, (3) Holding Account Redistribution Fund  
43 appropriation item 055632, Antitrust Settlements, (4) Holding  
44 Account Redistribution Fund appropriation item 055630, Consumer  
45 Frauds, and (5) Holding Account Redistribution Fund  
46 appropriation item 055601, Organized Crime Commission  
47 Distributions. 4037-1

48 Reduces appropriation item 070602, Public Audit Expense-  
49 Local Government, by \$4,172,000 in FY 2010 and by \$2,947,000 in  
50 FY 2011; allows for an automatic appropriation increase, if  
51 needed.

Pledge of Allegiance 44 4039

R.C. 3313.602 45

Prohibits school districts from preventing a teacher from 46  
having students recite the Pledge of Allegiance to the flag in the 47  
teacher's classroom. 48 4039

Prohibits school districts from altering the Pledge of 49  
Allegiance to the flag from the wording set forth in the United 50  
States Code. 51

### 20 Case Management for Certain Medicaid State Plan Services

#### 21 R.C. 173.404

22 Removes the bill's provision specifying that an individual 4040  
23 enrolled in a Medicaid waiver program that the Department of  
24 Aging administers may not receive certain Medicaid state plan

25 services unless the services are provided in conjunction with  
26 Medicaid case management services provided to the individual.

27 **Care Management and Authorization Services**

28 **R.C. 173.432**

29 Revises the bill's provision that requires the Department  
30 of Aging or its designee to provide care management and  
31 authorization services with regard to certain state Medicaid  
32 plan services that are provided to participants of Medicaid  
33 waiver programs the Department administers by requiring the  
34 Department or its designee to ensure that persons providing the  
35 services are properly certified or licensed. 4040

22 **Educational Service Centers**

23 **R.C. 3311.0510**

24 Revises the bill's procedures for dissolution of an  
25 educational service center (ESC) if all of the "local" school  
26 districts that make up the territory of the ESC annex to a  
27 different ESC, by providing that the "city" and "exempted  
28 village" school districts that had contracts with the ESC just  
29 prior to dissolution be included in the equitable distribution  
30 of the ESC's assets and liabilities and in paying the excess  
31 cost of dissolving the ESC, in addition to the "local" school  
32 districts as provided under the bill. 4044

**Ohio Products - Sufficient Competition**

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**R.C. 125.11**

81

Requires at least four, as opposed to at least two in current  
law, bids that offer products produced or mined in Ohio in order  
to be considered sufficient competition to prevent excessive price  
or inferior products when giving preference to Ohio-priced or  
mined products.

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14 **Department of Job and Family Services**

15 **Section 309.45.\_\_\_\_**

16 Allows the Department of Job and Family Services to use up  
17 to 10% of appropriation item 600634, Adoption Assistance Loan,  
18 for administration of loans to prospective adoptive parents. 4054





19       Extension of Termination of Suspension of Certain Statutes  
20   and Operation of Temporary Law Regarding Sewage Treatment  
21   Systems

22       Sections 640.20 and 640.21

23       Amends provisions of Am. Sub. H.B. 119 of the 127th General  
24   Assembly that temporarily suspended the operation of certain  
25   provisions of the Household and Small Flow On-Site Sewage  
26   Treatment Systems Law and that enacted temporary provisions  
27   regarding that Law by extending the termination of the  
28   suspension and temporary law from July 1, 2009, to July 1, 2011,  
29   rather than from July 1, 2009, to December 31, 2009, as in the  
30   bill. 4057

Multiple-County Community College District

226

R.C. 3354.24

227 4067

Changes the Jefferson County Community College District into  
the Eastern Gateway Community College District by adding the  
territories of Columbiana, Mahoning, and Trumbull counties.

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Authorizes the electors of the added counties to approve a  
property tax or bond issuance, or both, for the benefit of the  
residents of those counties who attend Eastern Gateway Community  
College.

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64       Concealed Carry License Fee

65       R.C. 109.731, 311.42, and 2923.125

66       Removes a modification that requires the Ohio Peace Officer  
67   Training Commission (OPOTC), in consultation with the Attorney  
68   General, to prescribe an administrative fee of not more than \$5  
69   and not less than \$3 to be paid by each applicant for a license  
70   to carry a concealed handgun. 4069

71 Replaces the existing fees for a license or renewal of a  
72 license to carry a concealed handgun with the following fees:

73 (1) For an applicant who has been an Ohio resident for five  
74 or more years, a fee of \$55;

75 (2) For an applicant who has been an Ohio resident for less  
76 than five years, a fee of \$55 plus the actual cost of having a  
77 background check performed by the FBI.

78 Removes a modification that requires the county to pay to  
79 the Bureau of Criminal Identification and Investigation (BCII) 4069  
80 the portion of the sheriff's concealed handgun issuance expense  
81 fund that consists of the administrative fee and the cost of any  
82 background check performed by BCII with a requirement that the  
83 county must distribute all fees deposited into the sheriff's  
84 concealed handgun issuance expense fund except \$40 of each fee  
85 paid by an applicant under R.C. 2923.125 and \$15 of each fee  
86 paid under R.C. 2923.1213 to the attorney general to be used to  
87 pay the cost of background checks performed by the bureau of  
88 criminal identification and investigation and the federal bureau  
89 of investigation and to cover administrative costs associated  
90 with issuing the license.

#### Funding of Medicaid-Covered Behavioral Health Services 92

R.C. 5111.023, 5111.912, and 5111.913 93

Provides that a community behavioral health board is (1) 94  
required to use state funds provided to the board for the purpose 95  
of funding community behavioral health services to pay a provider 96  
for services under a Medicaid component the Department of Mental 97 4085  
Health or Department of Alcohol and Drug Addiction Services 98  
administers and (2) permitted to use money raised by a county tax 99  
levy to make the payment if using the money for that purpose is 100  
consistent with the purpose for which the tax was levied. 101

Provides that the comprehensive annual plan is permitted, 102  
rather than required, to certify the availability of unencumbered 103  
community mental health local funds to match Medicaid 104 4085  
reimbursement funds earned by community mental health facilities. 105

Nonprofit Secondary Market Operation	101	
R.C. 3351.07	102	
Requires that the Governor's designation of the single	103	4092
nonprofit education loan secondary market operation for Ohio must	104	
be made annually and pursuant to competitive selection. Specifies	105	
that the current designation expires December 31, 2009.	106	
21 Department of Rehabilitation and Correction		
22 Section 375.10		4097-1
23 Requires the transfer of up to \$14,000,000 in		
24 appropriations, in each fiscal year, from GRF appropriation item		
25 501321, Institutional Operations, for the purposes of		
26 implementing criminal sentencing reforms, to any combination of		
27 GRF appropriation items 501405, Halfway House, 501407, Community		4097-1
28 Residential Programs, 501408, Community Misdemeanor Programs,		
29 and 501501, Community Residential Programs - CBCF.		
School Facilities Assistance Rankings	115	
R.C. 3318.011 and Section	116	
Specifies that if a school district's tangible personal	117	
property valuation made up 20% or more of its total taxable value	118	
on August 31, 2005, its 3-year "average taxable value" used for	119	
computing wealth percentile rankings of school districts for	120	
school facilities assistance is only the 3-year average of its	121	
real property valuation (rather than the 3-year average of the sum	122	
of its real property valuation and its tangible personal property	123	4098
valuation as under current law). Continues to compute "average	124	
taxable value" as under current law for all other districts.	125	
Requires the Department of Education to calculate and certify	126	
to the School Facilities Commission a new "alternate equity list"	127	
(percentile ranking) for use in fiscal year 2010 using the bill's	128	
definition of "average taxable value," as described above.	129	
However, any district already offered assistance for fiscal year	130	
2010 continues to be eligible for assistance for that fiscal year.	131	

Publication of Notice	212
R.C. 7.12, 7.16, 125.181, 125.182, 125.183, and 5721.012	213
Requires the Office of Information Technology (OIT) to select	214
a web site service provider to establish, operate, and maintain,	215
and to fund the operation, establishment, and maintenance of, the	216
State-Sanctioned Public Notice (SSPN) web site, prescribes the	217
qualifications for the service provider, and provides that the	218
state does not have and may not assume liability for the costs of	219
establishing, operating, and maintaining the web site.	220
Lists the duties of the service provider in establishing,	221
maintaining, and operating the SSPN web site, requires the service	222
provider to bear the expense of maintaining the web site domain	223
name, and requires the service provider to provide the OIT	224
Director, in the course of a quality review, access to the service	225
provider's hardware and software and technical and informational	226
operations relating to the web site operation and maintenance.	227
Permits a notice required to be published by statute or rule	228
to be published in the SSPN web site and requires the service	229
provider to publish on the web site such a notice submitted to the	230
provider and to collect from the responsible party submitting the	231
notice a fee for posting the notice to be set by the provider and	232
not to exceed \$10.	233
Modifies the requirements that a newspaper or newspaper of	234
general circulation must comply with for purposes of any legal	235
publication required by law to be made in such a newspaper	236
published in a political subdivision and for purposes of the	237
publication in such a newspaper of tax lists and duplicates of	238
delinquent personal and classified property taxes, delinquent tax	239
lists, and delinquent vacant land tax lists and advertising the	240
sale of tax certificates, and permits any notice required to be so	241
published to appear on an insert placed in the newspaper.	242

4110

4110

Scorecard to Track State Agency Compliance with Minority  
Set Aside and EDGE Business Enterprise Program Requirements

Section 701.

Requires the Deputy Director of the Equal Opportunity  
Division of the Department of Administrative Services to  
develop, and make available to state agencies, a scorecard  
system that will enable state agencies to track their compliance  
with minority set aside and EDGE business enterprise program  
requirements.

Requires the head officer of a state agency to track the  
agency's compliance with minority set aside and EDGE business  
enterprise program requirements using the scorecard system.

Requires the head officer of a state agency to transmit  
compliance tracking data obtained using the scorecard system to  
the Deputy Director after the end of each quarter during fiscal  
years 2010 and 2011.

Requires the Deputy Director to compile and study the  
compliance tracking data and prepare a quarterly report of state  
agency compliance with minority set aside and EDGE business  
enterprise program requirements.

Requires the Deputy Director to transmit the report to the  
Governor, to the legislative leadership, and to the chairpersons  
of the House and Senate committees having jurisdiction over  
state finance.

Award of Gasoline Purchase Card for Playing A Skill-Based  
Amusement Machine 595 596

R.C. 2915.01 597

Allows a gasoline purchase card with a value not exceeding  
\$10 to be awarded as a prize for playing a skill-based amusement  
machine even if the machine is not located at a gasoline station  
or if the card is not redeemable at the location of, or at the  
time of playing, the machine. 598 599 600 601 602

67       **Restoration of Ohio Judicial Conference**

68       R.C. 105.91, 105.911, 105.92, 105.93, 105.94, 105.95,  
69 105.96, 105.97, 2323.44, 2501.03, 3119.94, and 3375.481

70       Restores the Ohio Judicial Conference, which was eliminated  
71 in the previous version of the bill.

72       **Operating Budget of Ohio Judicial Conference**

73       **Section 311.10**

74       Restores the Judicial Conference of Ohio's FY 2010-FY 2011  
75 biennial operating budget with GRF appropriations of \$800,000 in  
76 each fiscal year. Adds temporary law provision requiring the  
77 Director of Budget and Management to transfer cash totaling  
78 \$800,000 in each fiscal year from any combination of three  
79 specific funds used by the Department of Public Safety (the  
80 Driving Under Influence Fines Fund (Fund 83G0), the Elementary  
81 School Program Fund (Fund 83N0), and the Seat Belt Education  
82 Fund (Fund 8440)) to the GRF for the purpose of supporting the  
83 Judicial Conference's GRF appropriations. Restores temporary  
84 law provision specifying the revenue sources and purpose of the  
85 Ohio Jury Instructions Fund (Fund 4030). 4133

86       **Operating Budget of The Judiciary/Supreme Court**

87       **Section 313.10**

88       Moves GSF appropriation item 005XXX, Ohio Jury  
89 Instructions, and related appropriations of \$350,000 in each of  
90 FYs 2010 and 2011 from The Judiciary/Supreme Court's operating  
91 budget back to the Judicial Conference of Ohio's operating  
92 budget.

12       **Department of Education**

13       **Section 265.10**

14       Increases GRF appropriation item 200455, Community Schools,  
15 by \$133,661 in each fiscal year and decreases GRF appropriation  
16 item 200550, Foundation Funding, by the same amount. 4137

## 20 Department of Education

## 21 Sections 265.10 and 265.20.90

22 Increases GRF appropriation item 200521, Gifted Pupil  
23 Program, by \$4,794,470 in each fiscal year and earmarks that  
24 amount for a gifted identification supplement. 4140

25 Decreases GRF appropriation items 200503, Bus Purchase  
26 Allowance, by \$2,000,000 in each fiscal year and 200550,  
27 Foundation Funding, by \$2,794,470 in each fiscal year. 4140

## 19 Center for Early Childhood Development

## 20 Section 265.70.10 4142

21 Requires the Governor to partner with the Superintendent of  
22 Public Instruction in the creation of the Center for Early  
23 Childhood Development and the hiring of a Director for that

24 Center; requires the Director of the Center for Early Childhood  
25 to additionally partner with the Department of Job and Family  
26 Services, the Department of Health, and any other state agency  
27 as determined necessary by the Governor and the Superintendent  
28 in the development of the required implementation plan to the  
29 Governor. 4142

## 383 Cost Outlier Payments to Children's Hospitals

## 384 Section 309.30.15

385 Revises the bill's provision regarding Medicaid payments to  
386 children's hospitals for cost outlier claims by making \$4.4  
387 million in FY 2010 and \$4 million in FY 2011 from the Hospital  
388 Assessment Fund plus the corresponding federal match  
389 additionally available for the payments. 4144

## 390 Increase in Medicaid Rates for Hospital Services

## 391 Section 309.30.73

392 Revises the bill's provision regarding the 5% Medicaid rate  
393 increase for hospital inpatient and hospital outpatient services  
394 by providing for the rate increase to begin July 1, 2009, rather  
395 than January 1, 2010.

## 396 Hospital Assessments

## 397 Sections 309.30.74, \_\_\_\_\_, and \_\_\_\_\_

398 Revises the bill's provision regarding hospital assessments  
399 by:

400 (1) Moving the provision to an uncodified section of the  
401 bill;

402 (2) Providing for the first assessment to be 1.61%, rather  
403 than 1.52%, of a hospital's total facility costs;

404 (3) Providing for the second assessment to be 1.52%, rather  
405 than 1.61%, of a hospital's total facility costs;

406 (4) Providing for the assessments to be for fiscal years  
407 2010 and 2011 rather than assessment program years that begin on  
408 the first day of October of a calendar year and end the last day  
409 of September of the following calendar year

410 (5) Excluding hospitals that do not charge patients for  
411 their services from the assessments;

412 (6) Requiring that a hospital's assessment for fiscal year  
413 2010 be based on the hospital's 12-month, Medicare cost  
414 reporting period that falls during the period beginning January  
415 1, 2007, and ending June 30, 2008;

416 (7) Requiring that a hospital's assessment for fiscal year  
417 2011 be based on the hospital's 12-month, Medicare cost  
418 reporting period that falls during the period beginning January  
419 1, 2008, and ending June 30, 2009;

420 (8) Revising the time frame for the Department of Job and  
421 Family Services to notify hospitals of the preliminary  
422 determination of the amount of the assessment

423 (9) Revising the schedule by which hospitals are to make  
424 the installment payments for the assessment and permitting the  
425 Department to establish an alternative schedule if the state  
426 receives federal approval for the Hospital Inpatient and  
427 Outpatient Supplemental Upper Payment Limit Program not later  
428 than January 15, 2010;

429 (10) Revising how the money raised by the assessments is to  
430 be used;

431 (11) Requiring the Department, at the request of a  
432 hospital, to provide the hospital a written letter stating that  
433 it is the Department's official position that the assessments  
434 are a community benefit for purposes of federal taxation; and

435 (12) Repealing the provision on July 1, 2011, rather than  
436 October 1, 2011.

4144



437        **Hospital Supplemental Upper Payment Limit Program**

438        **Sections 309.30.75, \_\_\_\_\_, and \_\_\_\_\_**

439        Revises the bill's provision regarding the Hospital  
440        Inpatient and Outpatient Supplemental Upper Payment Limit  
441        Program by:

442            (1) Moving the provision to an uncodified section of the  
443        bill;

444            (2) Excluding children's hospitals from the program;

445            (3) Funding the program with (a) money that is available  
446        in the Hospital Assessment Fund after money in that fund is used  
447        to pay for the Medicaid rate increase for hospital inpatient and  
448        outpatient services and children's hospitals' cost outlier  
449        claims and (b) federal matching funds;

450            (4) Requiring that payments to a hospital under the program  
451        be made in three equal installments for fiscal year 2010 and  
452        three equal installments for fiscal year 2011 that are due not  
453        later than 15 days after the date the hospital makes the  
454        corresponding installment payment for its assessment;

455            (5) Requiring that the program use a payment system that  
456        (a) is fair and equitable to all hospitals and (b) to the extent  
457        permitted by federal law, recognizes the amount of the  
458        hospitals' assessments; and

459            (6) Repealing the provision on July 1, 2011, rather than  
460        October 1, 2011.

461        **Increase in Medicaid Rates for Hospital Home Health**  
462        **Services**

463        **Section 309.30.76**

464        Requires the Director of Job and Family Services to  
465        increase the Medicaid rates for home health services provided by  
466        a provider owned by a hospital, other than a children's  
467        hospital, to the maximum extent permitted by federal law for FY  
468        2010 and FY 2011 but makes payment of the rate increase subject  
469        to funds being available in the Hospital Assessment Fund after  
470        money in the fund is used to pay for the rate increase for  
471        hospital inpatient and outpatient services, children hospitals'  
472        cost outlier claims, and the Hospital Inpatient and Outpatient  
473        Supplemental Upper Payment Limit Program.

474        **Increase in Medicaid Rates for Hospital Ambulance Services**

475        **Section 309.30.77**

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476 Requires the Director of Job and Family Services to  
477 increase the Medicaid rates for ambulance services provided by a  
478 provider owned by a hospital, other than a children's hospital,  
479 to the maximum extent permitted by federal law for FY 2010 and  
480 FY 2011 but makes payment of the rate increase subject to funds  
481 being available in the Hospital Assessment Fund after money in  
482 the fund is used to pay for the rate increase for hospital  
483 inpatient and outpatient services, children's hospitals' cost  
484 outlier claims, the Hospital Inpatient and Outpatient  
485 Supplemental Upper Payment Limit Program, and the rate increase  
486 for hospital home health services.

487 **Increase in Medicaid Rates for Hospital Hospice Services**

488 **Section 309.30.78**

489 Requires the Director of Job and Family Services to  
490 increase the Medicaid rates for hospice services provided by a  
491 provider owned by a hospital, other than a children's hospital,  
492 to the maximum extent permitted by federal law for FY 2010 and  
493 FY 2011 but makes payment of the rate increase subject to funds  
494 being available in the Hospital Assessment Fund after money in  
495 the fund is used to pay for the rate increase for hospital  
496 inpatient and outpatient services, children's hospitals' cost  
497 outlier claims, the Hospital Inpatient and Outpatient  
498 Supplemental Upper Payment Limit Program, the rate increase for  
499 hospital home health services, and the rate increase for  
500 hospital ambulance services.

501 **Department of Job and Family Services**

502 **Section 309.10**

503 Adjusts the appropriation to State Special Revenue Fund  
504 line item 600656, Medicaid - Hospital, to reflect the change in  
505 the hospital assessment rates.

12 **FY 2010 and FY 2011 ICF/MR Medicaid Rates**

13 **Sections 309.30.60 and 309.30.70**

14 Increases the mean total per diem rate that is used in  
15 setting the fiscal year 2010 Medicaid reimbursement rate for  
16 intermediate care facilities for the mentally retarded (ICFs/MR) 4145  
17 from \$277.25 to \$279.88.

18 Increases the mean total per diem rate that is used in  
19 setting the fiscal year 2011 Medicaid reimbursement rate for  
20 ICFs/MR from \$277.25 to \$282.54.



16 **Reallocation of Unused County Funds**

17 **Section 309.45.90**

18 Revises the bill's provision that requires ODJFS to  
19 reallocate certain funds when ODJFS is informed that a county 4146  
20 will not use the entire amount allocated to it for fiscal year  
21 2010 or 2011 by providing for ODJFS also to reallocate the funds  
22 when ODJFS determines through an annual close out or  
23 reconciliation of funds that a county did not use the entire  
24 amount of the funds.

Expenditures from the Local Workforce Development Funds 49

R.C. 6301.03 50

Includes reimbursements to a county public assistance fund 51 4147  
for expenditures made for activities funded by the Workforce 52  
Investment Act (29 U.S.C. § 2801, et seq.) in the current law 53  
requirement for all expenditures of workforce development 54  
activities to be made from local workforce development funds. 55

10 **Controlling Board Authority to Increase Capital**  
11 **Appropriations**

12 **Section 245.10**

13 Clarifies that the Controlling Board is authorized to 4149  
14 increase an agency's capital appropriations only up to the exact  
15 amount needed to receive and use funds under the federal  
16 American Recovery and Reinvestment Act of 2009.

12 **Board of Regents**

13 **Sections 610.30 and 610.31**

14 Removes the creation of Wright State University capital 3921  
15 appropriation item C27540, WSU Data Ohio, with an appropriation  
16 of \$500,000 and restores Wright State University capital  
17 appropriation item C27536, Nursing Institute Facility, with an  
18 appropriation of \$500,000.

Angle Parking on State Routes within Municipal Corporations 199

R.C. 4511.69 200

Provides that, on and after the bill's general effective 201  
date, no angled parking space that is located on a state route 202  
within a municipal corporation is subject to elimination, 203  
irrespective of whether there is or is not at least 25 feet of 204  
unoccupied roadway width available for free-moving traffic at the 205  
location of that angled parking space, unless the municipal 206  
corporation approves of the elimination of the angled parking 207  
space. 208

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## 22 Board of Regents

### 23 Section 371.20.60

24 Creates the Adult Workforce Training Workgroup and  
25 specifies that members will include three representatives of  
26 adult workforce education programs and three representatives of  
27 Ohio's state-assisted community colleges, state community  
28 colleges, and technical colleges. Specifies that Workgroup  
29 members serve without compensation. Requires that appointments  
30 be made within 60 days of the section's effective date, and that  
31 the Workgroup will cease to exist when the Chancellor submits  
32 the plan for Adult Workforce Training to the Controlling Board.

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Certification of Emergency Medical Services Training Programs 48  
and Continuing Education Programs 49

R.C. 4765.17 50

Allows the State Board of Emergency Medical Services to issue 51  
a certificate of accreditation for an emergency medical services 52  
training program or certificate of approval for an emergency 53  
medical services continuing education program for up to five 54  
years, rather than for three years; allows a provisional 55  
certificate to be issued for the length of time established by the 56  
Board, rather than for one year; allows the Board to renew 57  
provisional certificates; and allows a certificate of 58  
accreditation to be for more than one emergency medical services 59  
training program. 60

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Certification of Emergency Medical Services Training Programs 224  
 and Continuing Education Programs 225

R.C. 4765.11, 4765.23, and 4765.30 226

Instead of requiring the State Board of Emergency Medical 227  
 Services to issue two-year certificates to teach in an emergency 228 3935  
 medical services training program or an emergency medical services 229  
 continuing education program and three-year certificates to 230  
 practice as a first responder, requires the Board to establish 231  
 certification cycles for the expiration of these certificates, as 232  
 well as a common expiration date for these certificates and fire 233  
 service training program certificates. 234

17 Installment Repayment of Solar Panel Installation Loans

18 R.C. 717.25

19 Authorizes repayments by municipal residents to municipal  
 20 corporations of loans the residents have received for the  
 21 installation of solar panels in their homes to be made in 3938  
 22 installments and, at the residents' option, as if they were  
 \* 23 repaying special assessments.

New Convention Facilities Authority Tax 102

R.C. 351.021 103 3939

Authorizes a convention facilities authority (CFA) in a 104  
 county having a population of between 100,000 and 150,000 to levy 105  
 a lodging tax (with the approval of the board of county 106  
 commissioners) of up to 3% to finance the construction of a 107  
 convention, entertainment, or sports facility (including through 108  
 the issuance and retirement of CFA bonds), fund the operation and 109  
 maintenance of the facility, and pay the CFA's operating costs. 110 3939

The CFA's authority to levy the tax is subject to referendum 111  
 if a valid petition signed by 10% of county electors is filed 112  
 within 30 days after the board of county commissioners adopts its 113  
 resolution authorizing the CFA to proceed with the tax levy. 114

Leases for Oil and Gas Drilling State Land; Oil and Natural	588	3945
Gas Lease Fund; Bonds; Streamlined Permitting Process for Certain	589	
Energy Related Facilities; Definition of "Air Quality Facility" in	590	
the Air Quality Development Authority Law; Energy Planning Task	591	
Force	592	
R.C. 123.01, 1501.50, 1501.51, 1505.07, 1531.06, 3706.01,	593	
3745.50, 5119.40 (repealed), 5120.12 (repealed), and 5123.23	594	
(repealed); Section 715.____	595	
Does all of the following:	596	3945
(1) Vests with the Department of Natural Resources exclusive	597	
authority to enter into leases for the drilling for oil or gas on	598	
all land that is owned by the state and administered by a state	599	
agency, and repeals the authority of certain state agencies to	600	
enter into such leases;	601	
(2) Creates the Oil and Gas Lease Fund consisting of money	602	
from oil and gas leases entered into under the amendment, requires	603	
the Director of Natural Resources to distribute money in the Fund	604	
from a lease to the state agency that administers the state-owned	605	
land from which the extraction of oil or natural gas has occurred	606	
pursuant to the lease, requires a state agency that receives such	607	
money to use it only to pay the costs of capital projects and	608	
improvements of that agency, and authorizes a state agency that	609	
has the authority to issue bonds to pay the debt service for those	610	
bonds with money received from oil and gas leases entered into	611	
under the amendment;	612	
(3) Requires the Director of Natural Resources to adopt rules	613	3945
governing the oil and gas leasing program, and requires the rules	614	
to establish certain procedures, requirements, and standards	615	
regarding oil and gas leases, including procedures and standards	616	
for establishing the terms and conditions of oil and gas leases;	617	
(4) Requires the Directors of Environmental Protection,	618	
Natural Resources, and Development jointly to establish a	619	

streamlined permitting process for permits issued by the 620  
Environmental Protection Agency and any other state agency that 621  
are related to the siting or expansion of oil and gas refineries, 622  
coal gasification facilities, and other energy resource related 623  
facilities; 624

(5) Expands the definition of "air quality facility" in the 625  
Air Quality Development Authority Law to include facilities or 626  
projects that will assist Ohio in achieving energy independence 627  
through the utilization of the state's resources, thus making 628  
those types of facilities and projects eligible for construction 629  
and operation by, or funding from, the Ohio Air Quality 630  
Development Authority; and 631

(6) Creates the Energy Planning Task Force to develop a state 632  
energy plan, and requires the Task Force to present the plan to 633  
the Governor and the General Assembly not later than 18 months 634  
after the effective date of the amendment. 635

26 **CAUV Amnesty**

27 **Section 757. \_\_\_\_\_**

28 Provides amnesty to a property owner whose property was  
29 wrongfully valued according to its current agricultural use  
30 value before July 1, 2009, if the owner so informs the county  
31 auditor or Tax Commissioner, or if the county auditor or Tax  
32 Commissioner discovers the wrongful valuation, on or after July  
33 1, 2009, but before July 1, 2010.

16 **Automatic Closure of District Schools**

17 **R.C. 3301.163**

18 Revises the bill's provisions requiring the State Board of  
19 Education to revoke the charter of a school operated by a school  
20 district to match the provisions in current law that apply to  
21 community schools.

22 Specifically, the amendment requires a school's charter to  
23 be revoked if it (a) does not offer a grade higher than 3 and  
24 has been in academic emergency for four consecutive school

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4153-1

25 years, (b) offers any of grades 4 to 8 but no grade higher than  
26 9, has been in academic emergency for three consecutive school  
27 years, and has showed less than one year of academic growth in 4153-1  
28 reading or math for two of those school years, or (c) offers any  
29 of grades 10 to 12 and has been in academic emergency for four  
30 consecutive school years.

11 **LSC Corrective**

12 **R.C. 1332.25 and 3717.43** 4064-1

13 Removes a section of the bill and corrects a cross  
14 reference.

15 **Department of Aging and Department of Transportation**

16 **Sections 209.10 and 401.10** 4180-1

17 Increases GRF line item 490411, Senior Community Services,  
18 in the Department of Aging, by \$615,000 in each fiscal year and  
19 decreases GRF appropriation item 775451, Public Transportation-  
20 State, in the Department of Transportation, by the same amount.

12 **Technical Amendment**

13 **R.C. 3301.16** 4181

14 Removes a stray reference to the school funding model of  
15 the House version.





43 Interstate Compact on Educational Opportunity for Military  
44 Children

45 R.C. 3301.61, 3301.62, 3301.63, and 3301.64

46 Adds the Director of Veterans Services, or the Director's  
47 designee, to the State Council on Educational Opportunity for  
48 Military Children.

49 Permits the Superintendent of Public Instruction to  
50 designate a person to represent the Superintendent on the State  
51 Council.

52 Establishes the State Council within the Department of  
53 Education, instead of the Department of Veterans Services.

54 Requires the Department of Education, instead of the  
55 Department of Veterans Services, to provide staff assistance to  
56 the State Council and to the state military family education  
57 liaison. 4182

58 Designates the state Compact Commissioner as a state  
59 officer within the Department of Education, instead of the  
60 Department of Veterans Services (but retains the stipulation  
61 that the Commissioner is appointed by, and serves at the  
62 pleasure of, the Governor).

63 Requires that the annual fee for participating in the  
64 Interstate Compact be divided equally between the Department of  
65 Education and the Department of Veterans Services.

66 Deletes the provision that delays appointment of the State  
67 Council, the state Compact Commissioner, and the state military  
68 family education liaison until at least ten states have ratified  
69 the Interstate Compact. (According to the Council of State  
70 Governments, to date, 18 states have ratified the compact and  
71 the compact is effective.)

13       **State Board of Education Meetings**

14       **R.C. 3301.041**

15       Removes the following provisions of the bill regarding the  
16 broadcasting of State Board of Education meetings on the  
17 Internet:

18       (1) The requirement that the meetings be broadcast free of  
19 charge on the Department of Education's website (although they  
20 still must be broadcast live via the Internet);

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21       (2) The requirement that the Department maintain a free  
22 video archive of the meetings; and

23       (3) The requirement that committee and subcommittee  
24 meetings be broadcast.

25       Permits the State Board to contract with the Ohio  
26 Government Telecommunications Service (in addition to consulting  
27 with the Service, as in the bill) to implement the broadcasts.

11       **Department of Education**

12       **Section 265.20.10**

13       Clarifies that the remainder of GRF appropriation item  
14 200437, Student Assessments, be used for the tests required  
15 under sections 3301.0710 and 3301.0711 of the Revised Code.

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12       **State Agency Definition - Spending Plans**

13       **R.C. 126.50**

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14       Removes elected state officers from the definition of state  
15 agency in the state agency spending control provisions.

23       **Department of Job and Family Services**

24       **Sections 309.10 and 309.30.**

25       Restructures GRF line item 600417, Medicaid Provider  
26 Audits, by appropriating \$1.4 million in each fiscal year in  
27 federal reimbursement for this line item in the GRF.

4200-2

28       Requires that \$1.4 million in each fiscal year of line item  
29 600417, Medicaid Provider Audits, is to be used by the Auditor  
30 of State, in consultation with the Department of Job and Family  
31 Services, to perform audits of providers of Medicaid services as  
32 defined in the Revised Code.

10 Clarification that Small Businesses Contemplated by New  
 11 Small Business Rule Review Process Include Both For-Profits and  
 12 Nonprofits

13 R.C. 121.25

14 Clarifies that the small businesses referred to in the new  
 15 small business rule review process include both for-profit and  
 16 nonprofit small businesses. Currently, the relevant definition  
 17 defines a "small business" generally as an "independently owned  
 18 and operated business entity . . . having fewer than five  
 19 hundred employees."

4206

12 Cigarette Minimum Price Markup

13 R.C. 1333.11

14 Removes from the bill the proposed recomputation of the  
 15 minimum price markup for cigarette wholesale dealers, which  
 16 would include the state cigarette excise tax in the computation  
 17 of the existing 3.5% markup over the wholesaler's cost.  
 18 (Currently, the state excise tax is added after the markup is  
 19 computed.)

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#### Alternative Form of County Government

R.C. 302.011, 302.012, 302.013, 302.014, 302.015, 302.02,  
 302.03, 302.05, 302.081, 302.082, 302.09, 302.10, 302.11, 302.12,  
 302.13, 302.14, 302.17, 302.18, 302.19, 302.201, 302.202, 302.204,  
 302.21, 302.22, and 302.24

Requires the board of elections of any county having a  
 population of 1.2 million or more, according to the 2000 federal  
 decennial census, to submit to the electors of the county, in the  
 November 2009 election, the question of whether to adopt an  
 alternative form of government to be known as the blended county  
 government plan.

Creates the blended county government plan that does the  
 following:

Consists of a thirteen member county council elected by  
 districts.

Includes a county executive elected at large for a four year

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term. 618

Combines the offices of county auditor, county treasurer, and 619  
county recorder into an elected office of chief financial officer. 620  
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Creates the chief operating officer who is appointed by a 622  
vote of at least nine county council members and who oversees the 623  
offices of medical examiner, county engineer, and clerk of the 624  
court of common pleas. 625

Replaces the elected office of county coroner with an 626  
appointed office of medical examiner (chief operating officer 627  
appoints with approval of nine county council members). 628

Replaces the elected office of county engineer with an 629 4241  
appointed office of county engineer (chief operating officer 630  
appoints with approval of nine county council members). 631

Replaces the elected office of the clerk of the court of 632  
common pleas with an appointed clerk of the court of common pleas 633  
(chief operating officer appoints with approval of nine county 634  
council members). 635

Retains the elected offices of county prosecutor and county 636  
sheriff. 637

Amends current law that allows for an alternative form of 638  
county government to include the blended county government plan. 639

## 20 Housing for Honorably Discharged Veterans

### 21 R.C. 174.02 and 175.04

22 Removes from the pending version of the bill a provision 4243  
23 that requires that not less than 5% of funds awarded during any  
24 one fiscal year from the Low- and Moderate-Income Housing Trust

25 Fund be for grants and loans for activities that provide housing  
26 and housing assistance to honorably discharged veterans and  
27 replace it with a requirement that the Ohio Housing Finance 4243  
28 Agency in carrying out homeownership program assistance give  
29 preference for grants or loans for activities that provide  
30 housing for honorably discharged veterans.

Testing of Scholarship Students in Nonpublic Schools	367
R.C. 3310.14, 3310.15, 3313.976, and 3313.978	368
Reinstates the following provisions of the House-passed bill:	369
(1) The requirement that scholarship students enrolled in	370
nonpublic schools under the Cleveland Scholarship Program take the	371
state achievement tests (as scholarship students in the Ed Choice	372
Program are required to do under current law);	373
(2) The requirement that the Department of Education post	374
disaggregated achievement test data for scholarship students on	375
its web site and provide parents of students eligible for	376
scholarships with that information; and	377
(3) The requirement that the Department provide the parent of	378
each scholarship student with information comparing the student's	379
performance on the achievement tests with the performance of	380
similar students enrolled in the school district building the	381
student would otherwise attend.	382
57 <b>Medicaid Managed Care</b>	
58      R.C. 5111.141, 5111.142, 5111.16, and 5111.165	
59      Modifies the disease management program, case management	
60 program, and alternative care models program for Medicaid	
61 recipients established under the bill to provide that they are	
62 not to include individuals eligible for the existing Medicaid	
63 Care Management System (therefore, to participate in these	
64 programs the recipient must participate in the fee-for-service	
65 component of Medicaid).	
66      Changes the name of the alternative care models program to	
67 the alternative care management program and provides that it is	
68 separate from the Medicaid Care Management System.	

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Removal of New and Increased Solid Waste Disposal Fees 6

R.C. 3734.57 7

Eliminates the \$1 per-ton fee increase on the disposal of 8  
solid waste established by the bill the proceeds of which are 9  
required to be credited to the Environmental Protection Fund, thus 10  
returning the fee to \$1.50 per ton as in current law, and repeals 11 4248-2  
the new 25¢ per-ton fee on the disposal of solid waste established 12  
by the bill the proceeds of which are required to be credited to 13  
the Soil and Water Conservation District Assistance Fund. 14

11 **Department of Aging**

12 **Section 209.20**

13 Modifies the language dealing with the expansion of the  
14 PACE Program to specify that, in implementing the expansion, the  
15 Director may not decrease the number of residents of Cuyahoga  
16 and Hamilton counties and parts of Butler, Clermont, and Warren  
17 counties who are participating in the program below the number  
18 of residents in those areas "who were enrolled in the program on  
19 July 1, 2008", instead of "who are enrolled in the program on  
20 the effective date of the expansion."

4253

24 **Ohio Department of Alcohol and Drug Addiction Services**

25 **Section 215.10**

26 Increases GRF line item 038401, Treatment Services, by  
27 \$2.7 million in FY 2010 and \$2.5 million in FY 2011.

4254

28 **Ohio Department of Job and Family Services**

29 **Section 309.10**

30 Decreases GRF line item 600416, Computer Projects, by  
31 \$3,000,000 in FY 2010 (\$2.7 million state and \$300,000 federal)  
32 and \$2,777,778 in FY 2011 (\$2.5 million state and \$277,778  
33 federal).

31	CAT: Petroleum Product Exchanges	
32	R.C. 5751.01(F) (2) (ff); Section 757.____.	
33	Exempts from commercial activity taxation exchanges of	
34	products derived from crude oil, such as motor fuel, between	
35	licensed motor fuel dealers or licensed permissive motor fuel	4260
36	dealers when the delivery is made pursuant to an exchange	
37	agreement and delivery occurs at a refinery, terminal, pipeline,	
38	or marine vessel.	
	Operation of Small Three-Wheel Motorcycles	58
	R.C. 4507.03	59
	Specifies that a person who has a valid driver's or	60
	commercial driver's license cannot be required to have a	61 4261
	motorcycle operator's endorsement to operate a three-wheel	62
	motorcycle with a motor of not more than 50 cubic centimeters	63
	piston displacement.	64
	Electronic Payments under the Prompt Payment Law	10
	R.C. 3901.381 and Section 812.10	11
	Requires third party payers to pay contracted providers	12 4269
	electronically under the prompt payment law only when the claim on	13
	which payment is being made was received electronically by the	14
	third party payer; prohibits providers from refusing to accept	15
	electronic payments on the basis that the payment was transmitted	16
	electronically; and changes the effective date of this provision	17
	as it is currently specified in the bill; from ninety days after	18 4269
	the effective date of the act to twelve months after the effective	19
	date of the act.	20
	Department of Education	25 4271
	Sections 265.10 and 265.30.30	26
	Increases BRP appropriation item 200845, Career-Technical	27
	Education Enhancements, by \$300,000 in each fiscal year and	28
	earmarks that amount for the Agriculture 5th Quarter Project.	29 4271
	Decreases GRF appropriation item 200850, Foundation Funding,	30
	by \$300,000 in each fiscal year.	31

20       **Medicaid Managed Care Prompt Payment**

21       **R.C. 3901.38, 3901.383, 3901.3814, and 5111.178**

22       Removes provisions added by the House that would have  
23 applied Ohio's prompt payment law to Medicaid managed care  
24 organizations.

25       Removes a related House-added provision that would have  
26 repealed a statute requiring the ODJFS Director to determine  
27 whether a waiver of federal Medicaid requirements is necessary  
28 in order to apply the prompt payment law to Medicaid managed  
29 care organizations. 4277



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