



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis Jennifer A. Parker, Nick Thomas, and other LSC staff

Am. Sub. H.B. 49 132nd General Assembly (As Passed by the Senate)

Reps. R. Smith, Duffey, Ginter, Hambley, Hill, Lanese, Manning, McColley, Patton, Perales, Reineke, Ryan, Scherer, Sprague, Rosenberger

Sens. Eklund, Hite, Hoagland, Obhof, Oelslager, Peterson, Terhar, Wilson

TABLE OF CONTENTS

This analysis provides a summary, in the form of dot points, of provisions in the bill. The analysis is arranged by state agency, beginning with the Adjutant General and continuing in alphabetical order. Items that do not directly involve an agency are located under the agency that has regulatory authority over the item, or otherwise deals with the subject matter of the item.

The bill consolidates several health-related boards into one of the following: the State Medical Board, the State Board of Pharmacy, the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, or one of two new boards. The analysis of the consolidation, as well as the changes made to the laws governing the consolidated boards, can be found in the "Consolidation of Health-Related Boards" category. The analysis concludes with a Local Government category, a Miscellaneous category, and a note on bill administration matters.

ADJUTANT GENERAL	4
DEPARTMENT OF ADMINISTRATIVE SERVICES	5
DEPARTMENT OF AGING	7
DEPARTMENT OF AGRICULTURE	9
OHIO AIR QUALITY DEVELOPMENT AUTHORITY.....	12
ATTORNEY GENERAL	13
AUDITOR OF STATE	14
OFFICE OF BUDGET AND MANAGEMENT	15
CAPITOL SQUARE REVIEW AND ADVISORY BOARD	16
STATE BOARD OF CAREER COLLEGES AND SCHOOLS	17

DEPARTMENT OF COMMERCE	18
CONTROLLING BOARD	22
STATE COSMETOLOGY AND BARBER BOARD	23
COURT OF CLAIMS	24
OHIO STATE DENTAL BOARD.....	25
DEVELOPMENT SERVICES AGENCY	26
DEPARTMENT OF DEVELOPMENTAL DISABILITIES	27
DEPARTMENT OF EDUCATION.....	30
BOARD OF EMBALMERS AND FUNERAL DIRECTORS	47
ENVIRONMENTAL PROTECTION AGENCY	49
OHIO FACILITIES CONSTRUCTION COMMISSION	54
GENERAL ASSEMBLY.....	57
OFFICE OF THE GOVERNOR	58
DEPARTMENT OF HEALTH	59
DEPARTMENT OF HIGHER EDUCATION.....	65
OFFICE OF THE INSPECTOR GENERAL	71
DEPARTMENT OF INSURANCE.....	72
DEPARTMENT OF JOB AND FAMILY SERVICES	74
JOINT COMMITTEE ON AGENCY RULE REVIEW.....	78
JOINT EDUCATION OVERSIGHT COMMITTEE.....	79
JOINT LEGISLATIVE ETHICS COMMITTEE.....	80
JOINT MEDICAID OVERSIGHT COMMITTEE	81
JUDICIARY/SUPREME COURT	82
LAKE ERIE COMMISSION	83
LEGISLATIVE SERVICE COMMISSION	84
LIQUOR CONTROL COMMISSION.....	85
STATE LOTTERY COMMISSION.....	86
MANUFACTURED HOMES COMMISSION	87
DEPARTMENT OF MEDICAID	89
STATE MEDICAL BOARD.....	97
DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES	99
DEPARTMENT OF NATURAL RESOURCES.....	102
OHIO BOARD OF NURSING.....	107
OHIO CONSUMERS' COUNSEL.....	108
OPPORTUNITIES FOR OHIOANS WITH DISABILITIES AGENCY.....	109
STATE BOARD OF PHARMACY.....	110
OHIO PUBLIC DEFENDER	114
DEPARTMENT OF PUBLIC SAFETY.....	115



PUBLIC UTILITIES COMMISSION	118
OHIO STATE RACING COMMISSION	121
DEPARTMENT OF REHABILITATION AND CORRECTION	122
SECRETARY OF STATE.....	126
OHIO COMMISSION ON SERVICE AND VOLUNTEERISM	128
DEPARTMENT OF TAXATION.....	129
DEPARTMENT OF TRANSPORTATION.....	139
TREASURER OF STATE	141
DEPARTMENT OF VETERANS SERVICES	143
CONSOLIDATION OF HEALTH-RELATED BOARDS	144
LOCAL GOVERNMENT.....	146
MISCELLANEOUS	151
BILL ADMINISTRATION.....	153



ADJUTANT GENERAL

- Modifies the leave of absence law for certain permanent public employees who are members of the Ohio organized militia or other reserve components of the U.S. Armed Forces, including the Ohio National Guard.



DEPARTMENT OF ADMINISTRATIVE SERVICES

Suspension of purchasing and contracting requirements

- Authorizes the Department of Administrative Services (DAS) to suspend state purchasing and contracting requirements when a state agency is experiencing a "state procurement emergency."

Electronic licensing

- Authorizes the Office of Information Technology to assess a transaction fee, up to \$3.50, on each license or registration issued as part of an electronic licensing system operated by the Office.
- Creates the Professions Licensing System Fund for the purpose of operating the electronic licensing system and requires the transaction fees to be deposited in or transferred to the Fund.
- Prohibits, if a fee is assessed by the Office, any agency, board, or commission from issuing a license or registration unless the required fee has been received.

Tenant improvement services

- Removes the DAS Director's authority with respect to construction project services for state agencies and instead authorizes the Director to provide tenant improvement services.
- Eliminates the Minor Construction Project Management Fund.

State agency data sharing program

- Allows DAS to establish a program to gather, combine, and analyze unspecified types of data provided by state agencies that participate in the program.
- Specifies the program's purposes are to measure outcomes of state-funded programs, to develop policies to promote effective, efficient, and best use of state resources, and to identify, prevent, or eliminate fraudulent use of state funds, resources, or programs.
- Notwithstanding the entire Revised Code to specify that a state agency's provision of data under the program is a permitted use and does not violate any contrary laws that apply to the data the state agency provides.



- Specifies that a state agency providing data under the program retains ownership over the data and is the only state agency that must comply with Ohio law regarding requests for records or information.
- Subjects data in possession of participating state agencies to any confidentiality laws that apply to the data when in the possession of the state agency that provided the data.
- Subjects employees of DAS and other state agencies who have access to data under the program to any confidentiality laws or duty to maintain confidentiality of the data that apply to the state agencies that provided the data.
- Specifies that results of the data analysis are subject to the most stringent confidentiality obligations that apply to the source data.
- Requires DAS to develop a data-sharing protocol to which participating state agencies are subject, and a security plan to state how data will be protected.
- Requires any system with personal information derived under the program to comply with Personal Information Systems Law.

Repeal of Ohio Building Authority Law

- Formally repeals the Ohio Building Authority Law.
- Codifies DAS's authority to provide certain facility management services and charge rental and other charges for the use of its facilities.
- Retains the provision of the Law that permits, under certain circumstances, firearms in motor vehicles in the Riffe Center parking garage.

Legislative agency office space

- Allows legislative agencies to make purchases, leases, and repairs for the agencies' office spaces, and provides the agencies custody of the office spaces.

DEPARTMENT OF AGING

Long-term Care Ombudsman Program

- Requires the State Long-term Care Ombudsman to conduct advocacy visits with long-term care providers, residents, or recipients.
- Prohibits a long-term care provider, provider employee, or individual from willfully interfering with an Ombudsman representative in the performance of any duties or exercise of any rights.
- Specifies that certain actions under the State Long-term Care Ombudsman Program may be taken only to the extent permitted by federal law.
- Eliminates provisions regarding investigations by the Department of Aging of alleged violations of the Residents' Rights Law, but retains the State Ombudsman's role as a residents' rights advocate.

Long-term Care Consultation Program

- Modifies the duties of the Department or a program administrator to provide services under the Long-term Care Consultation Program.
- Eliminates provisions specifying the categories of individuals to whom a long-term care consultation must or may be provided and the time frames in which the consultation must be provided and requires those decisions to be made in accordance with rules to be adopted by the Director of Aging.

Long-term Care Consumer Guide fee

- Authorizes the Department to establish a deadline for long-term care facilities to pay annual fees for publication of the Ohio Long-term Care Consumer Guide.
- Authorizes the Department to impose a late penalty if the annual fee is not received within 90 days of the deadline.

Board of Executives of Long-term Services and Supports

- Specifies that the representatives of the Department of Health and Office of the State Long-term Care Ombudsman are nonvoting members on the Board of Executives of Long-term Services and Supports.
- Specifies that a majority of the voting members of the Board constitutes a quorum, and requires a quorum for the Board to act.



- Expands the Board's authority to create education and training programs for nursing home administrators.
- Revises the Board's authority to take disciplinary action against a nursing home administrator by allowing it to impose civil penalties and fines, revising fine amounts, and permitting, rather than requiring, a court to fine or imprison a person for a violation.

Other provisions

- Repeats, in an uncodified section of the bill, the authority the Department of Medicaid already has in ongoing law to provide for the Department of Aging to assess whether Medicaid applicants and recipients need a nursing facility level of care.
- Repeats, in an uncodified section of the bill, a requirement the Department of Aging already has in ongoing law to provide long-term care consultations to help individuals plan for their long-term health care needs.
- Repeats, in an uncodified section of the bill, the duty the Department of Aging already has in ongoing law to administer the PASSPORT Program, Assisted Living Program, and PACE.
- Permits the Department of Aging to design and utilize a method of paying for PASSPORT administrative agency operations that includes a pay-for-performance incentive component.
- Extends the authority of the Office of the State Long-term Care Ombudsman to MyCare Ohio.
- Eliminates references to the defunct Ohio Transitions II Aging Carve-Out Program and the defunct Choices Program.

DEPARTMENT OF AGRICULTURE

Inflatable amusement rides

- Eliminates the \$105 statutory annual inspection and reinspection fee for inflatable amusement rides, and instead requires the Director of Agriculture to set the fee by rule following a review and recommendations by the Director of Administrative Services.

Soybean Marketing Program

- Establishes the Ohio Soybean Marketing Program, and generally applies to it the procedures, requirements, and other provisions that apply to the existing Grain Marketing Program.
- Prohibits the levying of assessments under the Ohio Soybean Marketing Program if assessments are levied under the National Soybean Checkoff Program.

Nursery stock collector or dealer fee exemption

- Revises an exemption from the nursery stock collector or dealer license fee for a person who is not a nurseryman, dealer, or collector by limiting the exemption to persons who:
 - Conduct the sale of nursery stock as a fund raiser for a nonprofit organization for no more than two days a year; and
 - Make no more than \$2,000, rather than \$200 as in current law, in revenue from the sale of nursery stock during a calendar year.

Bee inspection fee allocation

- Reallocates money generated from fees charged for the inspection of bee colonies and beekeeping equipment to the existing Plant Pest Program Fund, rather than the General Revenue Fund as provided in current law.

Interstate Pest Control Compact

- Eliminates the Interstate Pest Control Compact, which serves to remedy funding restraints, bridge the jurisdictional gaps that exist among federal and state governments, and address the realities of dynamic plant pest infestations or outbreaks.



Appraisal of animals ordered destroyed

- Allows the Director of Agriculture to order the destruction of an animal because of disease before it is appraised, rather than prohibiting the destruction order until after appraisal as under current law.
- Requires the Director to take an inventory of each animal that is destroyed and record sufficient information for an appraisal to be conducted.
- Revises procedures that authorize the owner of an animal that is ordered destroyed to have the deceased animal appraised, to request an appraisal by the Department of Agriculture, and, if the two appraisals do not agree, to have a third appraisal conducted by a disinterested party.
- Requires the owner of an animal to have an appraisal conducted and to request an appraisal by the Department within 30 days of the destruction order.

Captive deer licenses – civil penalties

- Authorizes the Director to assess a civil penalty for violations of the law that requires captive deer propagators and animal preserves with captive deer to be licensed.
- Specifies that the civil penalties cannot exceed \$500 for a first offense in a five-year time period, \$2,500 for a second offense within a five-year time period, and \$10,000 for a third or subsequent offense within a five-year time period.

Food processing establishments

- Authorizes the Director to assess a civil penalty against a person who is operating a food processing establishment (for example: a confectionery, cannery, or bottler) without registering the establishment with the Director.
- Specifies that the civil penalty cannot exceed \$500 for a first offense within a five-year period, \$1,500 for a second offense within a five-year period, or \$5,000 for a third or subsequent offense within a five-year period.
- Expands the exemption from the payment of a food processing establishment registration fee to all bakeries, rather than solely home bakeries as under current law.

Wine tax diversion to Grape Industries Fund

- Extends through June 30, 2019, the extra 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund.

Ohio Agriculture Scholarships – Agro Ohio Fund

- Alters the purposes for which money generated from the registration and renewal of "Ohio Agriculture" license plates may be used by requiring the Director to use all of the money for promoting agriculture, rather than requiring the money also to be used to provide agriculturally related college scholarships.
- Eliminates the Ohio Agriculture License Plate Scholarship Program and the Ohio Agriculture License Plate Scholarship Fund Board, which makes decisions relating to the Program.
- Requires money generated from the registration and renewal of "Ohio Agriculture" license plates to be deposited in the Agro Ohio Fund rather than the Ohio Agriculture License Plate Scholarship Fund, which the bill eliminates.
- Revises the purposes for which money in the Agro Ohio Fund may be used, including eliminating the Agro Ohio Fund grant program under which the Director awards grants for promoting agriculture in Ohio.

Animal and Consumer Protection Laboratory Fund

- Allocates money generated from the registration and renewal of livestock brands to the existing Animal and Consumer Protection Laboratory Fund, which is used to operate the Department's animal industry laboratory and consumer protection laboratory, rather than the Brand Registration Fund.
- Eliminates the Brand Registration Fund, which is used to pay the costs and expenses of administering the livestock brand registration program.

State matching funds for conservation districts

- Eliminates the requirement that the Department match soil and water conservation district funds received pursuant to a contract to carry out Phase II of the federal Storm Water Program.



OHIO AIR QUALITY DEVELOPMENT AUTHORITY

- Repeals the authority of the Ohio Air Quality Development Authority (OAQDA) to issue bonds to fund loans and grants for advanced energy projects, but retains its authority to issue the loans and grants from related funds.
- Clarifies that bonds and notes issued by the OAQDA for air quality projects are not general obligations.



ATTORNEY GENERAL

Credit for drug use prevention training

- Allows peace officers to earn continuing professional training hours by providing drug use prevention education in K-12 public schools.

Domestic violence programs

Domestic Violence Program Fund

- Creates in the state treasury the Domestic Violence Program Fund consisting of appropriated and donated moneys and administered by the Attorney General (AG) to provide funding to domestic violence programs, and requires the AG to adopt implementing rules.
- Requires that funding priority be given to domestic violence programs in existence on and after July 1, 2017.
- Specifies the purposes for which the funds received by either type of domestic violence program must be used.

State Victims Assistance Advisory Council

- Requires the State Victims Assistance Advisory Council to advise the AG in determining the needs of domestic violence victims, developing a policy for administering the Domestic Violence Program Fund, and making recommendations for distributing the funds.

Peace Officer Training Commission membership

- Adds one member from a fraternal organization that represents law enforcement officers to the Ohio Peace Officer Training Commission.

AUDITOR OF STATE

Removal of local government fiscal officers

- Increases the time period during which the Auditor of State must review a sworn affidavit and evidence against a local fiscal officer and must determine whether clear and convincing evidence supports the allegations.

Continuance of law regarding fiscal watches

- Retains the fiscal watch law that changed the time period for filing a financial recovery plan and that added a condition for moving a municipal corporation, county, or township from a fiscal watch to a fiscal emergency.



OFFICE OF BUDGET AND MANAGEMENT

- Requires state agencies and state issuers seeking changes to certain state public obligations laws to timely submit those changes to the Director of Budget and Management for review and comment.
- Authorizes the Director to correct accounting errors committed by any state agency or state institution of higher education.
- Permits the Director, under certain circumstances, to transfer interest earned by any state fund to the GRF.
- Authorizes the Director, during the biennium ending June 30, 2019, to transfer up to \$200 million in cash to the GRF from non-GRF funds that are not constitutionally restricted.
- Appropriates any money the Controlling Board approves for expenditure, or any increase in appropriation the Controlling Board approves, pursuant to existing law.
- Requires the Director to issue reports, beginning July 1, 2018, and every six months thereafter, on:
 - Line items that have been discontinued but have a remaining balance;
 - Funds without expenditures;
 - Funds that have spent less than 50% of their appropriations; and
 - Dedicated purpose funds that have over 100% of their appropriation in cash on hand.
- Requires the Director to send the reports to the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House, and the chairpersons of the House and Senate Finance committees.
- Abolishes various uncodified funds.



CAPITOL SQUARE REVIEW AND ADVISORY BOARD

- Removes an obsolete reference in Capitol Square Review and Advisory Board Law that pertains to the Board's prior involvement in the management of the Ohio Governmental Telecommunications System.



STATE BOARD OF CAREER COLLEGES AND SCHOOLS

Disclosure fee

- Requires that for-profit career colleges and schools pay disclosure course fees charged by the State Board of Career Colleges and Schools (SCR).
- Prohibits those colleges and schools from charging students for disclosure course fees, including prohibiting an increase in fees or tuition charged to a student for that purpose.
- Requires the SCR to refund all student disclosure course fees collected since January 2017.
- Specifies that the amount refunded to a career college and school for student disclosure fees must be used to refund students who were charged that fee by the college or school.

Transfer of credits

- Requires the Chancellor of Higher Education, in consultation with "necessary stakeholders," to prepare a transferability strategy plan that defines criteria, policies, procedures, and timelines that enable students to transfer credits earned from a for-profit career college or school to a state institution of higher education without unnecessary duplication or institutional barriers.
- Requires the Chancellor to submit an interim strategy plan by July 1, 2018, and a final strategy plan by January 1, 2019, to the Governor, President and Minority Leader of the Senate, and Speaker and Minority Leader of the House.



DEPARTMENT OF COMMERCE

New Banking Law

- Enacts a new Banking Law governing banks, savings and loan associations, and savings banks under the same statute.
- Provides for a single "bank" charter under which all three types of financial institutions may operate.
- Eliminates the separate laws regulating savings and loan associations and savings banks.
- Makes numerous conforming changes throughout the Revised Code.
- Specifies that the new Banking Law takes effect January 1, 2018.

Financial institutions

Banking Commission

- Eliminates the Savings and Loan Associations and Savings Banks Board and, instead, increases the membership of the Banking Commission by two and revises the qualifications of members to include directors or officers of savings banks, savings associations, bank holding companies, or savings and loan holding companies.
- Extends the terms of Commission members from three to four years.

Banks Fund

- Eliminates the Savings Institutions Fund and, instead, requires that the assessments, examination and other fees, and forfeitures paid by savings and loan associations and savings banks be deposited into the Banks Fund.

Assessments and examination fees

- Reinstates the authority of the Superintendent of Financial Institutions to (1) charge banks application fees and the costs of special or follow-up examinations and visitations and (2) assess banks, savings banks, and savings and loan associations as necessary to fund the operations of the Division of Financial Institutions.



Bank examination records

- Requires the Superintendent to preserve bank examination reports for 10 rather than 20 years, as is required under current law.

Good Funds Law: disbursements from escrow accounts

- With respect to residential real property, increases – from \$1,000 to \$10,000 – the maximum amount that can be disbursed by an escrow or closing agent from an escrow account when the funds necessary for the disbursement are in the form of cash or check.
- Removes the requirement that certain electronically transferred funds be "via the real-time gross settlement system provided by the Federal Reserve Bank" and instead permits those funds be "any other electronically transferred funds."

Bedding and toy tests

- Explicitly authorizes private laboratories that are designated by the Superintendent of Industrial Compliance within the Department of Commerce to be used for tests and analysis of bedding and stuffed toys.

State Fire Marshal vacancy

- Eliminates certain notification requirements by the State Fire Council when a vacancy occurs in the position of the State Fire Marshal.
- Eliminates the requirement that the Council make a list of all qualified applicants for the position of State Fire Marshal when a vacancy occurs.

Boiler certificates and fees

- Eliminates the requirement of a satisfactory inspector's report for the Superintendent of Industrial Compliance to issue or renew a certificate of operation for certain newly installed or operating power boilers, high pressure, high temperature water boilers, low pressure boilers, and process boilers.
- Maintains the inspection report requirement for certain boilers used to control corrosion.
- Requires the Superintendent, in considering whether to issue or renew a certificate, to find that the owner or user of boilers used to control corrosion kept certain records and did not operate the boiler at pressures exceeding the safe working pressure.

- Replaces the Director of Commerce with the Superintendent of Industrial Compliance as the person who may increase the fees for licensing, inspections, and issuing certificates.
- Authorizes the Superintendent to establish fees to pay the costs necessary to fulfill the duties of the Division of Industrial Compliance in relation to boilers.

Elevator fees

- Limits the authority of the Division of Industrial Compliance to charge fees for elevator, escalator, and moving walk inspections to attempted inspections by a general inspector that failed through no fault of the inspector or the Division; eliminates the fee for successful inspections.
- Requires any person who fails to pay a certificate of operation fee within 45 days after the certificate's expiration to pay a late fee equal to 25% of the inspection fee.
- Allows the Superintendent of Industrial Compliance to increase the inspection fees and the fees for issuing and renewing certificates of operation.
- Allows the Superintendent to establish fees to pay the costs of the Division incurred in administering and enforcing the elevator laws.

Real estate brokers and salespersons

- Clarifies that licensed real estate brokers and salespersons are not subject to the Standard Renewal Procedure Law.

A-4 liquor permits

- Allows a person to manufacture and sell ice cream containing at least 0.5% and up to 6% alcohol by volume (ABV).
- Requires the person to obtain an A-4 liquor permit, which, under current law, authorizes the manufacture and sale of mixed alcoholic beverages.
- Lowers the minimum allowable ABV that applies to all A-4 permit holders from 4% to 0.5% ABV.

D-5j liquor permit

- Modifies the following conditions for certain community entertainment districts in which a D-5j liquor permit may be issued:

--Decreases the minimum population of a municipal corporation in which the district may be located from 5,000 to 3,000; and

--Increases the minimum investment in development and construction in the district from \$100 million to \$150 million.

F-9 liquor permit

- Expands the eligibility criteria for the issuance of an F-9 liquor permit by allowing it to be issued to a nonprofit that operates, or manages entertainment for, a city park if:

--The park property is the subject of an agreement between a municipal corporation, a national nonprofit that is a foundation, and an Ohio-based nonprofit; and

--The agreement is for the purposes of hosting outdoor performing arts events or orchestral performances.

Opened container exemption

- Exempts a person who is attending an outdoor performing arts event or orchestral performance from the Opened Container Law if both:

--The event or performance is hosted by an F-9 permit holder and is free or charge; and

--The F-9 permit holder annually hosts not less than 25 other events or performances that are free of charge on the permit premises.

Tasting samples of alcohol

- Allows casinos (D-5n liquor permit) and restaurants in casinos (D-5o liquor permit) to offer tasting samples of beer, wine, or spirituous liquor free of charge if certain conditions apply.

Merger of Manufactured Homes Commission into the Department

- Abolishes the Manufactured Homes Commission and transfers its duties to the Department of Commerce.

CONTROLLING BOARD

- Requires that any state agency purchase of automatic data processing, computer services, electronic publishing services, or electronic information services, or any consulting services related to information technology, the aggregate cost of which would exceed \$50,000 over the succeeding five years, be made by competitive selection and subject to Controlling Board approval.
- Requires Controlling Board approval of any advertising purchased with public money by an official elected to a statewide office or a member of the General Assembly for the same purpose that, in the aggregate, exceeds \$50,000 during the fiscal year.
- Requires that any state agency contract for the procurement of energy, the aggregate cost of which would exceed \$50,000 over the succeeding five years, be made by competitive selection and subject to Controlling Board approval.
- Provides that the Controlling Board may not approve the expenditure of certain federal and nonfederal funds that (1) are received in excess of the amount appropriated or (2) are not anticipated in the current biennial appropriations act if the expenditure exceeds 1% of GRF appropriations for that fiscal year.



STATE COSMETOLOGY AND BARBER BOARD

- Combines the State Board of Cosmetology and the Barber Board into the State Cosmetology and Barber Board.
- Increases several cosmetology law fees the Board may charge subject to a limit, changes other cosmetology law fees from a set fee to a fee that may not exceed the current fee, and requires the Board to adjust the fees every two years, subject to those limits, to provide sufficient revenues to meet expenses.



COURT OF CLAIMS

- Requires that the filing fees collected by the Court of Claims for complaints alleging a denial of access to public records be deposited into the Public Records Fund, which is created by the bill, and used by the Court to defray its costs.



OHIO STATE DENTAL BOARD

- Increases various fees paid by dentists, dental hygienists, and dental professionals.
- Increases the amount of a dentist's biennial registration fee allocated to the Dentist Loan Repayment Fund.



DEVELOPMENT SERVICES AGENCY

- Authorizes the Chief Investment Officer of JobsOhio to designate an individual to serve on the Officer's behalf on the TourismOhio Advisory Board.
- Relaxes an eligibility criterion for the Lakes in Economic Distress Loan Program and specifies that any materials submitted by a loan applicant are confidential and not a public record.
- Renames the Office of Small Business within the Development Services Agency the "Office of Small Business and Entrepreneurship" and requires it to inform the public about job placement resources available from OhioMeansJobs.
- Creates a statutory definition of "microbusiness."
- Changes the deadline for the Ohio Aerospace and Aviation Technology Committee to submit its annual report from July 1 to December 31.



DEPARTMENT OF DEVELOPMENTAL DISABILITIES

Community facility sale proceeds

- Permits a county board of developmental disabilities or board of county commissioners to use the proceeds from the sale of a community adult facility or a community early childhood facility to renovate or make accessible housing for individuals with developmental disabilities.
- Permits the DD Director to establish, and extend, a deadline by which the county board or board of county commissioners must use sale proceeds.
- Defines "renovation" as work done to a building, including architectural and structural changes and modernization of mechanical and electrical systems, to restore it to an acceptable condition and to make it functional for use by individuals with developmental disabilities.

Medicaid payment rates

- Provides for the FY 2018 Medicaid rates for intermediate care facilities for individuals with intellectual disabilities (ICFs/IID) in peer groups 1 and 2 to be determined, with certain modifications, in accordance with a formula in current law.
- Provides for the FY 2018 Medicaid rate for all ICFs/IID in peer groups 1 and 2 to be adjusted if the mean total per Medicaid day rate for all such ICFs/IID is other than a certain amount which cannot be less than \$290.10.
- States the General Assembly's intent to enact legislation establishing a new formula to be used to determine the rates beginning not sooner than July 1, 2018, and not later than January 1, 2019.
- Requires the Department of Developmental Disabilities to work in collaboration with certain organizations to finalize recommendations for the new formula.
- Requires that the recommendations include certain features, including a feature that establishes a method to transition ICFs/IID to the new formula during a 36-month period.
- Provides for an ICF/IID's rate for the part of FY 2019 that is before the new formula takes effect to be determined in the same manner that its FY 2018 rate is determined, except that data for a subsequent fiscal or calendar year is to be used to determine certain parts of the rate.

- Provides for an ICF/IID's rate for the part of FY 2019 that begins when the new formula takes effect to be determined in accordance with the new formula and be subject to (1) a maximum cap of \$295.90 per Medicaid day and (2) the transition that must be included in the Department's recommendations for the new formula.
- Eliminates a requirement that an ICF/IID resident be under 22 years of age to qualify for outlier ICF/IID services available to certain Medicaid recipients dependent on a ventilator.
- Provides for the Medicaid rate for each 15 minutes of routine homemaker/personal care services provided to a qualifying enrollee of the Individual Options waiver program to be, for 12 months, 52¢ higher than the rate for such services provided to an Individual Options enrollee who is not a qualifying enrollee.

County board share of expenditures

- Modifies a county department of developmental disabilities' responsibility to pay the nonfederal share of Medicaid expenditures for residents of ICFs/IID.
- Requires the DD Director to establish a methodology to be used in FYs 2018 and 2019 to estimate the quarterly amount each county board of developmental disabilities is to pay of the nonfederal share of the Medicaid expenditures for which the county board is responsible.

Developmental centers

- Permits a developmental center to provide services to persons with developmental disabilities living in the community or to providers of services to these persons.

Innovative pilot projects

- Permits the DD Director to authorize, in FYs 2018 and 2019, innovative pilot projects that are likely to assist in promoting the objectives of state law governing the Department of Developmental Disabilities and county boards of developmental disabilities.

Use of county subsidies

- Requires, under certain circumstances, that the DD Director pay the nonfederal share of a claim for ICF/IID services using subsidies otherwise allocated to county boards of developmental disabilities.

County boards' waiting lists

- Requires a county board of developmental disabilities to establish a waiting list for Medicaid-funded home and community-based services if resources are insufficient to enroll all individuals assessed as needing the services.
- Replaces statutory criteria for emergency or priority placement on a county board waiting list with a requirement that the DD Director adopt rules regarding how individuals are placed on or removed from a waiting list or enrolled in an ODDD-administered Medicaid waiver.

Updating authorizing statute citations

- Provides that the DD Director is not required to amend any rule for the sole purpose of updating the citation in the Ohio Administrative Code to its authorizing statute to reflect that the act renumbers the authorizing statute or relocates it to another Revised Code section.

County boards – restriction on employment

- Modifies a provision in current law to prohibit a county commissioner's spouse, son, or daughter (rather than an "immediate family member") from being employed by the county board of developmental disabilities for the county the commissioner serves.

Stakeholder workgroup

- Requires the Department to convene a stakeholder workgroup to evaluate services provided to individuals with developmental disabilities living in the community and to develop recommendations related to the provision of such services.
- Requires the workgroup to submit a report with the recommendations to the Department and General Assembly.

DEPARTMENT OF EDUCATION

I. School financing

- Specifies a formula amount of \$6,010 for FY 2018 and \$6,020 for FY 2019.
- Adjusts the valuation index used in the state share index calculation for FY 2018 or FY 2019 for school districts that satisfy specified criteria related to the total taxable value of public utility personal property in the districts and the total taxable value of power plants in the districts.
- Requires the Department annually to recommend to the General Assembly a structure to compensate each school district that experiences at least a 50% decrease in public utility personal property valuation from one year to the next for a percentage of the effect that decrease has on the district's foundation funding.
- Maintains the dollar amounts from FY 2017 for all categorical payments for both years of the biennium.
- Eliminates the current law requirement that a joint vocational school district spend at least 75% of its career-technical education funding on costs directly associated with career-technical education programs and not more than 25% on personnel expenditures.
- Increases a multiplier used in the formula for computing capacity aid funds for each city, local, and exempted village school district.
- Provides an additional payment of a "third-grade reading bonus" to each STEM school based on how many of its third grade students score at a proficient level or higher on the English language arts assessment.
- Specifies that a school district's transportation funding must be calculated using a multiplier of the greater of 37.5% or the district's state share index (for FY 2018) or a multiplier of the greater of 25% or the district's state share index (for FY 2019).
- For each city, local, and exempted village school district, adjusts the district's aggregate core foundation funding (excluding, in the case of the cap, career-technical education and associated services funding, the graduation bonus, and the third grade reading bonus) and pupil transportation funding as follows:
 - If a district has an increase in total ADM between FY 2014 and FY 2016 that is 5.5% or greater in FY 2018 or 6% or greater in FY 2019, imposes a cap that restricts the increase in the aggregate funding over the previous year's state aid



to no more than 5.5% of the previous year's state aid in FY 2018 or no more than 6% of the previous year's state aid in FY 2019;

--If a district has an increase in total ADM between FY 2014 and FY 2016 that is between 3% and 5.5% in FY 2018 or between 3% and 6% in FY 2019, imposes a cap that restricts the increase in the aggregate funding over the previous year's state aid to no more than a scaled amount between 3% and 5.5% in FY 2018 or between 3% and 6% in FY 2019;

--Imposes a cap on all other districts that restricts the increase in the aggregate funding over the previous year's state aid to 3% of the previous year's state aid in each fiscal year of the biennium;

--If a district has a decrease in total ADM between FY 2014 and FY 2016 that is 10% or greater, guarantees that the district receives 95% of the district's amount of state aid in FY 2017;

--If a district has a decrease in total ADM between FY 2014 and FY 2016 that is between 5% and 10%, guarantees that the district receives a scaled amount between 95% and 100% of the district's amount of state aid in FY 2017;

--Guarantees that all other districts receive at least the same amount of state aid in each fiscal year of the biennium as in FY 2017.

- Modifies the cap described above for school districts that satisfy specified criteria related to the total taxable value of public utility personal property in the districts and the total taxable value of power plants in the districts.
- Provides a "cap offset payment" for FY 2018 for school districts that are subject to the cap for FY 2018 and receive a combined amount of foundation funding, pupil transportation funding, and fixed rate operating direct reimbursements for FY 2018 that is less than that combined amount of funding for FY 2017.
- For each joint vocational school district, adjusts the district's aggregate core foundation funding (excluding, in the case of the cap, career-technical education and associated services funding and the graduation bonus) in substantially the same manner as it does for city, local, and exempted village school districts.
- Repeals sections that prescribe the calculation of school districts' capacity measures for the tangible personal property (TPP) reimbursement in the tax code.

- Repeals two provisions that allow for the recalculation of a school district's state funding due to reductions in the district's property tax base made after the funding was initially computed.
- Requires the Department of Education to conduct a study of appropriate funding levels and methods of funding for gifted students and to report its findings and recommendations by May 1, 2018.

II. Early childhood education

Preschool program funding and operation

- Specifies criteria under which early childhood education funding to children whose families earn not more than 200% of the federal poverty guidelines be distributed.
- Prioritizes funding for children who are four years old, but permits remaining funds after October 1 for three-year old children.
- Requires the Department of Education to implement a pilot program in not more than two counties in the Appalachian region of the state that funds a total of 125 eligible children in each fiscal year and to collect and review data from the program.
- Permits the Department to create an early childhood education parent choice demonstration pilot program.

Staffing for center-based special education preschools

- Requires a ratio of one full-time staff member for every eight full-day or 16 half-day preschool children eligible for special education enrolled in a center-based preschool special education program.

III. College Credit Plus (CCP) Program

Student eligibility

- Beginning with the 2018-2019 school year, requires a student, as a condition of eligibility for CCP, to either (1) be "remediation-free" on at least one specified assessment, or (2) score within a specified range of the remediation-free threshold and have at least a 3.0 GPA or an advisor's recommendation.
- Requires the college to determine whether each student meets the remediation-free threshold or the alternative criteria.
- Provides that, if a college requires the ACT or SAT to determine CCP eligibility, the college must either: (1) administer the Accuplacer test as an alternative at no cost to

the student, or (2) continue to require the ACT or SAT and fully reimburse students who qualify for free or reduced price lunches.

- Specifies that, if a student qualifies for free or reduced price lunches, the student (1) may receive reimbursement only once for CCP participation purposes, and (2) if the student also qualifies for an ACT or SAT fee waiver, the student must first apply the waiver prior to receiving reimbursement.
- Requires the Chancellor of Higher Education, in consultation with the Superintendent of Public Instruction, to adopt rules specifying conditions under which "underperforming" participants may continue participating in CCP.

Payments

- Permits, rather than requires as under current law, the Chancellor to approve CCP payments made by the Department of Education under an alternative payment structure to be below the default floor amount.
- Specifies that, under the default payment structure for CCP, the Department must pay the lesser of (1) the default amount or (2) the college's standard rate for an undergraduate course.
- Prohibits payments made by the Department for a CCP course under an alternative payment structure from exceeding the college's standard rate for an undergraduate course, if that rate is less than the default ceiling amount.
- Prescribes January 31, for fall participants, and July 31, for spring participants, as the dates by which the Department must make CCP payments to colleges, unless there is incomplete or disputed information for a participant.

Course eligibility

- Requires the Chancellor, in consultation with the state Superintendent, to adopt rules specifying which courses under the CCP Program are eligible for funding from the Department of Education.
- Specifies that courses may be taken under 'Option B' of the CCP Program only if they are eligible for funding under the adopted rules.

Appeals and information

- Changes to whom a student may appeal a principal's decision, with regard to the student's participation in CCP, from the State Board of Education to the district superintendent or the applicable governing entity.



- Changes to whom a participant may appeal a dispute, with regard to the granting of credit for CCP courses, from the State Board to the Department of Education.
- Moves the annual deadline, from March 1 to February 1, by which high schools must provide CCP Program information to students in grades 6 through 11.
- Eliminates provisions requiring colleges to notify the state Superintendent of a participant's (1) admission to the college under CCP, (2) courses and hours of enrollment, and (3) chosen participation option ('Option A' or 'Option B').

Early College High School exemption

- Exempts all Early College High School (ECHS) programs, rather than only specified ECHS programs, from the requirements of the CCP program, so long as the program meets the statutory definition of ECHS programs and is approved by the Chancellor and State Superintendent.
- Changes the definition of ECHS programs and specifies that such programs "prioritize," rather than only include, students who are (1) underrepresented in higher education, (2) economically disadvantaged, or (3) first-generation.
- Maintains current law permitting high schools and colleges that are not operating an ECHS program to apply for and obtain a waiver from the requirements of the CCP program for agreements that offer innovative programming for underrepresented students.

IV. Educator licensure and preparation

Elimination of the Ohio Teacher Residency Program

- Beginning with the 2017-2018 school year, eliminates the Ohio Teacher Residency Program, which is a four-year, entry-level program required for educators prior to applying for a professional educator license from the State Board.
- Maintains both the resident educator license and alternative resident educator license, which are four-year, renewable, entry-level licenses that an educator must hold prior to applying for the five-year professional educator license.
- Prohibits individuals currently participating in the program from being required to complete the program or its components.

Career-technical workforce development educator licenses

- Creates two new educator licenses (the Initial and the Advanced Career-Technical Workforce Development educator licenses) and, starting July 1, 2018, requires first-time applicants for a career-technical educator license to obtain one of the new licenses, rather than the professional career-technical teaching license.
- Requires the State Board, in collaboration with the Chancellor of Higher Education, to adopt rules establishing standards and requirements for obtaining the licenses and prescribes requirements for each license.
- Requires the State Board to continue issuing the professional career-technical teaching license until June 30, 2018, and authorizes certain individuals to continue to renew their professional career-technical teaching licenses, rather than obtain one of the new licenses, after that date.

Other licensure provisions

- Requires the Department of Education to request fingerprints from licensed educators and applicants for licensure who are not enrolled in the Retained Applicant Fingerprint Database in order to enroll them, and to inactivate a license or reject an application of an educator who does not comply.
- Requires instruction in opioid and other substance abuse prevention be included in teacher preparation programs for educators and other school personnel for all content areas and grade levels.

V. Curriculum and graduation credentials

Alternative graduation requirements – Class of 2018

- Creates the following two alternative graduation pathways for students enrolled in public or chartered nonpublic schools who entered the ninth grade for the first time on or after July 1, 2014, but prior to July 1, 2015 (Class of 2018) in lieu of the continuing law graduation requirements.
 - Take all applicable state tests, retake certain low-score end-of-course exams, complete the school district's or school's curriculum, and satisfy two of several prescribed conditions, including completing a capstone project during the 12th grade and having a 93% attendance rate during the 12th grade.
 - Take all applicable state tests, complete the district's or school's curriculum, complete an approved career-technical education training program, and satisfy

one of several prescribed conditions, including obtaining an industry-recognized credential.

Credit for integrated course content

- Permits public and chartered nonpublic schools to integrate academic content in subject areas for which the State Board of Education has adopted standards into a course in a different subject area, and to allow a student to receive credit for both subject areas that were integrated into the one course.
- Permits a school to administer a related end-of-course exam in a subject in an integrated course to a student upon completion of the integrated course.
- By July 1, 2018, requires the Department of Education, in consultation with the Department of Higher Education and the Governor's Office of Workforce Transformation, to develop guidance on granting integrated credit.

Credit through subject area competency

- Requires the Department of Education to develop a framework for school districts and community schools to use in granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education.
- Requires each district and community school to comply with the framework, beginning with the 2018-2019 school year.

Industry-recognized credentials and licenses for graduation

- Requires the Superintendent of Public Instruction, in collaboration with the Governor's Office of Workforce Transformation and representatives of business organizations, to establish by January 1, 2018, a committee to develop and update at least every two years a list of industry-recognized credentials and licenses for high school graduation and state report card purposes.
- Eliminates the responsibility for the State Board of Education to approve industry-recognized credentials and licenses.

OhioMeansJobs-Readiness Seal

- Requires the Superintendent of Public Instruction to establish the OhioMeansJobs-Readiness Seal which must be attached or affixed to the diplomas and transcripts of students enrolled in a public or chartered nonpublic school who satisfy specified requirements.



Regional workforce collaboration model

- Requires the Governor's Office of Workforce Transformation, the Department of Education, and the Chancellor of Higher Education to develop a regional workforce collaboration model to provide career services to students by December 31, 2017.
- Requires the Office to oversee the creation of regional workforce collaboration partnerships.

Pre-apprenticeship training programs

- Requires the departments of Education and Job and Family Services to establish an option for career-technical education students to participate in pre-apprenticeship training programs that impart skills and knowledge for successful participation in a registered apprenticeship occupation course.

VI. State assessments

Elementary social studies assessments

- Eliminates the fourth- and sixth-grade social studies assessments.
- Requires each school district or school to teach and assess social studies in at least the fourth and sixth grades.
- Requires any social studies assessment to be determined by the district or school and permits the assessment to be formative or summative in nature.
- Prohibits reporting to the Department of Education the results of any social studies assessment used by a district or school.

Release of achievement test questions

- Beginning with the 2017-2018 school year, requires that 40% of questions from each state elementary achievement assessment and high school end-of-course exam become public records, instead of the staggered release of all questions as under current law.
- Prohibits the release in 2017 of any questions from the elementary English language arts and math assessments administered in the 2015-2016 school year.

Kindergarten readiness diagnostic assessments

- Permits school districts to administer the selected response and performance task items portion of the kindergarten readiness diagnostic assessment up to two weeks prior to the first day of the school year.

VII. Community schools

Community school sponsor evaluation system

- Prohibits the Department of Education from assigning an automatic overall rating to a community school sponsor based solely on the sponsor receiving an equivalent score of "0" points on one or more individual components not including academic performance.
- Specifies that a sponsor's overall rating is a cumulative score of the individual components of the evaluation system, unless a sponsor receives a "0" on the academic performance component.
- Requires the Department of Education to weight the "Progress" component of the state report card at 60% of the total score for the academic performance component that comprises the community school sponsor evaluation system.
- Requires the Department to annually post the evaluation system it intends to use for the next sponsor rating period and specifies that any changes to that system take effect the following rating period.
- Requires the Department to make the training that it must provide on an annual basis regarding the evaluation system available to sponsors by July 15 of each year.

Exception to revocation for "poor" sponsors

- Permits a sponsor whose sponsorship authority was revoked following the 2015-2016 school year due to an overall rating of "poor" to renew sponsorship of any of its schools for the 2017-2018 school year, if the sponsor received a score of "3" or a "B" or higher on the academic performance component for the 2015-2016 school year.
- Permits the sponsor to continue sponsoring those schools in the 2018-2019 school year if it receives a score of "3" or a "B," or an equivalent score, or higher on the academic performance component for the 2017-2018 school year, and so long as the sponsor receives an overall rating of at least "ineffective" for the 2017-2018 school year.

ESC community school sponsors

- Permits an educational service center (ESC) that sponsors community schools and has a sponsor rating of "effective" or higher to sponsor a community school regardless of whether the school is located in a county within the ESC's territory or a contiguous county.

Dividing an e-school

- Beginning in the 2018-2019 school year, authorizes the governing authority of an Internet- or computer-based community school (e-school) to which all of the following apply to divide the school into two or three separate schools:
 - The school serves all of grades K-12.
 - It has an enrollment of at least 2,000 students.
 - It has a sponsor rated effective or higher.
- Specifies that if a school divides into two new schools, one must serve grades K-8 and one must serve grades 9-12. If a school divides into three new schools one must serve grades K-5, one must serve grades 6-8, and one must serve grades 9-12.
- Requires the governing authority of a school divided under this provision to file its resolution authorizing the division with the Department of Education by March 15 prior to the school year in which it will take effect.
- Specifies that each school that is a result of the separation has the same governing authority and that the sponsor and governing authority must enter into a separate contract for each school.
- Prohibits any resulting school from operating as a dropout prevention and recovery program.
- Prohibits any resulting school from dividing again.
- Requires that all resulting schools be included in the calculation of the academic performance component for sponsor ratings under the community school sponsor evaluation system.
- Requires the Department to issue a report card for each resulting school, which counts toward closure of the school and any other matter based on report card ratings or measures without the two-year grace period that applies to other new community schools.



Automatic withdrawal of students from online schools

- Revises a current law provision requiring that a public online school, including an Internet- or computer-based community school, to withdraw from the its enrollment a student who fails to take any state achievement assessment for two consecutive school years to specify the consecutive years are of the student's enrollment in that particular school.

VIII. STEM and STEAM schools

STEAM schools, equivalents, and programs of excellence

- Authorizes the creation of science, technology, engineering, arts, and mathematics (STEAM) schools, equivalents, and programs of excellence, which are types of STEM schools, STEM school equivalents, and STEM programs of excellence, respectively.
- Permits STEM and STEAM schools and equivalents to offer all-day kindergarten in the same manner as school districts, to conform with provisions of current law that permit STEM schools and equivalents to offer any of grades K-12.

Tuition for out-of-state students

- Permits a STEM school (or STEAM school) to determine the amount of tuition to charge a student who is not an Ohio resident, so long as the tuition is at least the minimum amount the school receives for a student who is an Ohio resident.

Access to school district property

- Adds STEM schools to the list of those public schools that must be offered the right of first refusal when a school district decides to sell real property or is required to offer for sale or lease unused property (which also applies to STEAM schools under the bill).

IX. Scholarship programs

Application periods for Ed Choice income-based scholarships

- Requires the Department of Education to determine by May 31 of each school year whether funds remain available for income-based scholarships under the Educational Choice (Ed Choice) Scholarship Program after the first application period.
- Specifies that the Department need not conduct a second application period for the income-based expansion of the Ed Choice Program if the income-based scholarships



awarded in the first application period use the entire amount appropriated for that school year.

- Requires the Department to conduct a second application period if there are funds remaining to award income-based scholarships after the first application period.

Jon Peterson Scholarship deadline

- Removes the application periods and deadlines under the Jon Peterson Special Needs Scholarship Program, and instead requires the Department to prescribe a procedure whereby scholarships are awarded "upon application."
- Prohibits the Department from adopting specific deadline dates for the Peterson Scholarship.

Cleveland Scholarship maximum amounts

- Increases the maximum amount that may be awarded under the Cleveland Scholarship Program to students in grades K-8 to \$4,650 and to students in grades 9-12 to \$6,000.

X. Other education provisions

Adult Diploma Program

- Requires an entity other than the Department of Education to make full or partial payments for a student participating in the Adult Diploma Pilot Program, if the Superintendent of Public Instruction and the Chancellor of Higher Education determine that it is appropriate for that entity to make those payments.

Auxiliary Services funds

- Adds to the list of permitted uses of Auxiliary Services funds (1) language and academic support services for English language learners and (2) procurement of certain security services. (Under current law, these funds are paid to school districts to purchase goods and services for students enrolled in chartered nonpublic schools.)
- Requires the Department of Education to pay Auxiliary Services funds directly to each chartered nonpublic school that is not affiliated with a religious order, sect, church, or denomination or does not have a curriculum or mission that contains religious content, courses, or training, devotional exercises, or any other religious activity.



Payments for students in residential facilities

- In the case of a student admitted to a school district other than the one in which the student's parent resides because the student is placed in, and receives educational services at, a residential facility, permits a tuition payment for a student who receives special education in the same manner as for a nondisabled student under current law.
- Permits the district educating a special education student in the resident facility to choose whether to receive a tuition payment for the student (as authorized under the bill) or to receive an excess costs payment (as authorized under current law). Either payment is deducted from the state aid account of the district in which the student's parent resides.

Unvoted debt for alternative fuel vehicles

- Permits a school district, subject to approval of the Facilities Construction Commission (FCC), to incur unvoted indebtedness to finance the purchase of new alternative fuel vehicles (AFVs) or vehicle conversions, in an amount up to $\frac{1}{10}$ of 1% of the district's tax valuation.
- Requires a school district, as part of its request for FCC approval, to submit a report that it contracted for and that addresses the return on investment over the life of the AFVs, environmental impact of AFVs, and all associated costs, including facility modifications and vehicle purchase costs or conversion costs.
- Requires the district to monitor the purchase of new AFVs or vehicle conversions, and annually submit a report to FCC that documents the purchase of new AFVs or vehicle conversions, the associated environmental impact, and return on investment.
- Permits FCC, in consultation with the Auditor of State, to deny a district's request if the district is in a state of fiscal watch and the expenditure is not in the district's best interest.
- Prohibits a district that is in a state of fiscal emergency from submitting a request without the approval of its financial planning and supervision commission.
- Prohibits a district for which an academic distress commission has been appointed from submitting a request without the commission's approval.

Summer food service

- Requires a school district that provides summer academic intervention services and that opts out of offering summer food service in a school in which at least half of the



students are eligible for free lunches to allow an approved summer food service program sponsor to use the school's facilities.

Substitutes for educational aides

- Permits a school district superintendent to allow an employee who does not hold an educational aide permit or an educational paraprofessional license to do the following, provided the superintendent believes the employee's application materials indicate the employee is qualified to obtain a permit or license:
 - To work as a substitute for an educational assistant who is absent on account of illness or on a leave of absence;
 - To fill a temporary position created by an emergency.
- Specifies that the employee must complete a criminal records check in accordance with continuing law for nonlicensed school employees.

Reporting victims of student violence

- Beginning July 1, 2018, requires the guidelines for the statewide education management information system (EMIS) to require the data maintained by the system to include an identification of the person or persons, if any, at whom a student's violent behavior that resulted in discipline was directed.
- Specifies that the persons must be identified by their classifications, such as student, teacher, or nonteaching employee, and not by name.
- Requires the Department of Education to prepare a report of this information for the first two school years following the provision's effective date and submit it to the General Assembly by October 1 following the second school year.
- Eliminates the requirement to include this information in the system or guidelines beginning two years following the submission of the report.

International students in interscholastic athletics

- Authorizes international students who attend certain elementary or secondary schools in Ohio and who hold an F-1 U.S. visa to participate in interscholastic athletics on the same basis as Ohio residents.
- Prohibits such international students from being denied the opportunity to participate in interscholastic athletics solely because the student's parents do not reside in Ohio.



- Prohibits school districts, schools, interscholastic conferences, or organizations that regulate interscholastic athletics from having a rule, bylaw, or other regulation that conflicts with the bill's provisions on international student athletic participation.

Sudden cardiac arrest in youth athletics

- Reduces the frequency with which a student must submit the consent form regarding sudden cardiac arrest guidelines to once each school year, instead of once for each activity in which the student participates each school year.
- Likewise requires an individual participating in an athletic activity organized by a youth sports organization (not a student) to submit the consent form once every *calendar* year, instead of once for each activity in which the student participates each year.

Sunscreen in schools

- Prohibits a school district from requiring in its medication administration policy written authorization from a health care provider in order to administer sunscreen to a student.
- Permits a student to possess and self-administer sunscreen while on school property or at a school-sponsored event.
- Permits a school district to include in its policy the requirement for parental authorization for the possession or administration of sunscreen.

Betel nut substances in schools

- Prohibits the use or possession of any substance containing betel nut in any area under the control of, or at any activity supervised by, a school district or educational service center and requires districts and service centers to enforce the prohibition.

Other provisions

- Removes a provision of law specifying that state financial support for the nonprofit corporation that implements the Bright New Leaders for Ohio Schools Program ceases June 30, 2018.
- Prohibits a school district that has not entered into an agreement with an educational service center as of June 30, 2017, from doing so during the two-year period from July 1, 2017, through June 30, 2019.

- Indefinitely extends the authority of the mayor who appoints a municipal school district board (Cleveland) to establish and retain the district's transformation alliance by removing a sunset provision that would, on January 1, 2018, eliminate that authority and terminate the alliance.
- Removes the requirement that assignment of a student to an absence intervention team must be made within ten days after becoming an habitual truant, but retains the time-specific requirements related to team member selection, attempts to engage the student's parent, and intervention plan development.
- Until October 1, 2021, prohibits a school district that is a party to an annexation ("win/win") agreement from transferring nonresidential territory to another district that is a party to the agreement without the approval of the board of each district, unless the territory overlaps with a "new community authority" created before 1993.
- Extends from December 31, 2017, to December 31, 2019, the expiration of a provision that permits a school district to offer priority to purchase an athletic field to the chartered nonpublic school that is the field's current leaseholder.
- Repeals the law that requires the Department of Education to establish a clearinghouse of information regarding the identification of and intervention for at-risk students.
- Specifies that bid bonds are not required for the purchase of school buses unless a school district board of education or educational service center governing board request that they be part of the competitive bidding process for a specified purchase.
- Exempts the following from the requirement to complete school employee training in the use of an automated external defibrillator:
 - Substitute teachers;
 - Adult education instructors who are scheduled to work less than the full-time equivalent of 120 days per school year; and
 - Persons who are employed on an as-needed, seasonal, or intermittent basis, so long as they are not employed to coach or supervise interscholastic athletics.
- Specifies that the employers of minors participating in a STEM program approved by the Department of Education or any eligible classes through the College Credit Plus Program that meet specified requirements are exempt from the state minor labor law, which restricts employment of minors in certain occupations.

- Requires the Superintendent of Public Instruction, in consultation with the Governor's Executive Workforce Board, to establish standards for the operation of school district and educational service center business advisory councils.
- Limits the ability of an unclassified Department of Education employee to receive payment on separation of employment for sick leave accumulated while employed by a school district to an employee who began employment with the Department before October 1, 2017.
- Permits the Department's Supervisor of Agricultural Education to serve as the chair of the board of trustees of the Ohio FFA Association and to assist with the Association's programs and activities.
- Requires the state Superintendent to establish a workgroup on related services personnel for improving coordination of state, school, and provider efforts to address the related services needs of students with disabilities.



BOARD OF EMBALMERS AND FUNERAL DIRECTORS

Board membership and rulemaking

- Modifies the membership criteria for the Board of Embalmers and Funeral Directors.
- Requires the Board to adopt rules related to the lawful disposition of unclaimed cremated remains held in a funeral home or crematory that has been closed.

Crematory operator permit

- Replaces the term "operator of a crematory facility" with "crematory operator."
- Modifies the definition of "embalming" to specifically include specified chemical treatments.
- Specifies that a "crematory operator" must operate with a permit and a "crematory facility" must operate with a license.

Funeral homes, embalming and crematory facilities

- Establishes criteria for a crematory operator permit, associated fees, and continuing education requirements.
- Eliminates the requirements that a funeral home be established under the name of the license holder and the license not include directional or geographical references in the name.
- Caps reinstatement fees.
- Exempts courtesy card permit holders from continuing education requirements.
- Requires that a cremation chamber used for cremation of animals display a notice on the unit stating that it is used for animals only.

Dead human body and cremated remains

- Prohibits any person from knowingly refusing to promptly submit the custody of a dead human body or cremated remains upon the order of the person legally entitled to the body or cremated remains.
- Prohibits, with a few exceptions, a person from knowingly failing to carry out the final disposition of a dead human body within 30 days after taking custody of the body.



Preneed funeral contracts

- Requires the Board to adopt rules regarding violations relating to the submission of sale reports for preneed funeral contracts.
- Requires a funeral home licensee for a funeral home that is closing to send written notice to the purchaser of every preneed funeral contract to which the funeral business is a party containing the name of any funeral business that has been designated to assume the contract obligations.
- Requires within 30 days of the closing of a funeral home, the funeral home licensee to transfer all preneed contracts to the funeral homes that have been designated to assume the obligation of the preneed contracts.
- Requires the Board to make designations for preneed contracts in the case of a closed funeral home, if the licensee fails to designate a successor.
- Requires that all preneed funeral contracts include a disclosure that any purchaser may be eligible for reimbursement of financial losses suffered as a result of malfeasance, misfeasance, default, failure, or insolvency of the licensee.
- Requires preneed contracts held in trust to contain a disclosure regarding whether the seller will charge an initial service, cancellation, or service fees.
- Requires payment for preneed contracts to be paid directly to an insurance company or, subject to certain exceptions, to the contract's trustee.
- Requires the seller of a preneed funeral contract, within 30 days of receiving payment made payable to the trustee, to remit the payment to the trustee, unless the purchaser rescinds the contract.
- Eliminates the requirement that taxes, expenses, and fees be paid only from the accumulated income on the preneed funeral contract trust.
- Establishes the Preneed Recovery Fund, a custodial fund to be used to reimburse purchasers of preneed funeral contracts who have suffered financial loss as a result of the malfeasance, misfeasance, default, failure, or insolvency in connection with the sale of a preneed funeral contract.
- Imposes a \$10 fee on the sale of preneed funeral contracts other than those funded by insurance policy assignment and requires that those fees be deposited into the Fund.



ENVIRONMENTAL PROTECTION AGENCY

Local air pollution control authorities

- Modifies the list of agencies that qualify as a local air pollution control authority for purposes of the law governing air pollution control.
- Authorizes the Director of Environmental Protection (OEPA) to modify a contract between the Director and a local air pollution control authority to authorize the authority to perform air pollution control activities outside that authority's geographic boundaries.

Clean Diesel School Bus Fund

- Eliminates the Clean Diesel School Bus Fund, which, according to OEPA, is obsolete and is required to be used to update emissions equipment on existing diesel school buses.

Asbestos abatement

- Transfers the authority to administer and enforce the laws governing asbestos abatement certification from the Department of Health to OEPA.
- Eliminates several administrative procedures that apply to hearings regarding violations of asbestos abatement laws that are supplemental to the Administrative Procedure Act.
- Specifies that money collected from civil and criminal penalties, fees, and other money collected under the asbestos abatement certification laws be deposited in the Non-title V Clean Air Fund administered by OEPA, rather than the General Operations Fund administered by the Department of Health.
- Delays the effective date of these changes until January 1, 2018.

Explosive gases at solid waste disposal facilities

- Revises the law governing the monitoring of explosive gases (primarily methane) at solid waste disposal facilities, including:
 - Authorizing, rather than requiring as provided under current law, the OEPA Director to order submission of explosive gas monitoring plans when there is a threat to human health or safety or the environment;

--Requiring a plan to be submitted for active or closed solid waste disposal facilities, if ordered, rather than for active or closed sanitary landfills (a subset of solid waste disposal facilities) as provided under current law; and

--Requiring specified "responsible parties" associated with a facility, after the submittal of a plan, to monitor explosive gas levels at the facility and submit written reports of the results of the monitoring in accordance with the plan.

Antiquated law governing solid waste facilities

- Eliminates antiquated provisions of law that applied in the 1980s and early 1990s and that governed applications for a permit-to-install a solid waste facility.

Scrap Tire Grant Fund

- Makes discretionary the requirement that the OEPA Director request the Director of Budget and Management (OBM) to transfer money each fiscal year from the Scrap Tire Management Fund to the Scrap Tire Grant Fund, which is used to support market development activities related to scrap tires.
- Also makes discretionary the requirement that OBM execute that transfer.
- Specifies that the amount transferred may be up to \$1 million, rather than equal to \$1 million, each fiscal year.

Clean-up and removal at tire sites

- Repeals an obsolete provision of law that required at least 65% of an existing 50¢ fee on the sale of tires to be expended for clean-up and removal activities at the Goss Tire Site in Muskingum County or other tire sites in Ohio.

Authority to waive fees and late penalties

- Authorizes the OEPA Director to waive or reduce late fees and fees incurred during a response to an emergency.

Cleanup and Response Fund

- Requires that the Cleanup and Response Fund be used for implementing the law governing hazardous waste.

Administration of programs division

- Requires the Director to establish within OEPA a division to administer the Agency's financial, technical, and compliance programs to assist communities, businesses, and other regulated entities.

Extension of various fees

- Extends for two years:
 - The sunset of the annual emissions fees for synthetic minor facilities;
 - The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for plan approvals for wastewater treatment works;
 - The sunset of the annual discharge fees for holders of national pollutant discharge elimination system permits under the Water Pollution Control Law;
 - The sunset of license fees for public water system licenses;
 - A higher cap on the total fee due for plan approval for a public water supply system and the decrease of that cap at the end of the two years;
 - The levying of higher fees, and the decrease of those fees at the end of the two years, for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law;
 - The levying of higher fees, and the decrease of those fees at the end of the two years, for applications to take examinations for certification as operators of water supply systems or wastewater systems;
 - The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for permits, variances, and plan approvals under the Water Pollution Control and Safe Drinking Water Laws;
 - The sunset of the fees levied on the transfer or disposal of solid wastes; and
 - The sunset of the fees levied on the sale of tires.

Title V air emissions fees

- Makes discretionary the requirement that OEPA transfer up to 50¢ per ton of each type of Title V air pollution emissions fee assessed to the Small Business Assistance Fund.

- Permits the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer up to \$1,500,000 from the Small Business Assistance Fund (Fund 5A00) used by the Air Quality Development Authority to the Title V Clean Air Fund (Fund 4T30) used by OEPA.

NPDES permit fees

- Requires the fee for the issuance of an NPDES permit to be paid at the time of application along with the nonrefundable application fee.
- Changes the fee for municipal storm water discharge from \$100 per square mile of area permitted under an NPDES permit to \$10 per $\frac{1}{10}$ of a square mile.

Toxic Release Inventory Program

- Allows owners and operators of specified facilities to fulfill state toxic release inventory reporting requirements by complying with federal reporting requirements established by the U.S. EPA.
- Specifies that submission of a toxic chemical release inventory report to U.S. EPA constitutes simultaneous submission of the report to OEPA, thereby satisfying state reporting requirements under state and federal law.
- Retains OEPA's authority to investigate and enforce civil and criminal penalties for violations committed under the Toxic Release Inventory Program, including the failure to submit toxic release inventory reports to U.S. EPA.
- Eliminates fees for filing a toxic release inventory report, including late fees.

Industrial water pollution control certificates

- Eliminates obsolete authority of the Director to issue, deny, revoke, or modify industrial water pollution control certificates.

Construction Grant Fund

- Eliminates the Construction Grant Fund, which is required to consist of money from grants to the state from the U.S. EPA under the Federal Water Pollution Control Act. (U.S. EPA has discontinued this grant program.)
- Accordingly, eliminates the construction grant program, under which local governments can apply for money derived from the U.S. EPA grants for design, acquisition, construction, alteration, and improvement of sewage and waste treatment works.



Water Pollution Control Loan Administrative Fund

- Allows OEPA to use money in the Water Pollution Control Loan Administrative Fund for water quality related programs administered by OEPA, rather than solely to defray its administrative costs associated with the Water Pollution Control Loan Program as under current law.

County sewer districts

- Authorizes a county sewer district to contract to provide water and sewerage services to persons or entities located outside the district, including outside the county in which the district has jurisdiction.
- Prohibits an entity responsible for waste treatment management planning from adopting or amending a plan in a manner that results in a conflict with a county sewer district's contracting authority.

Alternative daily cover

- Exempts solid waste that the OEPA Director approves for use as alternative daily cover and that is used as alternative daily cover from fees that otherwise apply to solid waste.

Background investigations under waste laws

- Alters the time frame for updating background information submitted via a disclosure statement by permit applicants, permittees, and prospective owners under the law governing solid, hazardous, and infectious wastes by requiring both:

--The Attorney General, every five years (rather than every three under current law), to request from the F.B.I. any information regarding a criminal conviction with respect to each officer, director, partner, or key employee of an applicant, permittee, or prospective owner; and

--An applicant, permittee, or prospective owner, every five years (rather than every three under current law), to submit an affidavit listing information related to administrative, civil, and criminal actions during the previous five-year period (rather than the previous three) regarding a business concern required to be listed on the disclosure statement.

OHIO FACILITIES CONSTRUCTION COMMISSION

Agency administration of projects

- Permits the Department of Administrative Services (DAS), the Ohio School for the Deaf, and the Ohio State School for the Blind to administer a capital facilities project whose estimated cost is less than \$1.5 million.

Contractor debarment

- Allows the Executive Director of the Ohio Facilities Construction Commission (FCC) to debar a subcontractor, supplier, or manufacturer, in addition to a contracting firm.
- Permits the Executive Director also to debar a partner, officer, or director of one of those entities.

Transfer of school facilities programs to FCC

- Abolishes the Ohio School Facilities Commission (SFC) and transfers its responsibilities to FCC.

FCC membership

- Adds two senators appointed by the Senate President and two representatives appointed by the Speaker of the House as nonvoting members of FCC.
- Specifies that the senators must not be from the same political party and that the representatives must not be from the same political party.
- Requires the Governor's appointment to FCC to be an administrative department head who is not the Director of Budget and Management or the Director of Administrative Services, and authorizes that member to designate an employee of the member's agency to serve.
- Specifies that the member appointed by the Governor prior to the bill's effective date serve the remainder of the member's term and, when the term expires or if the member is unable to fulfill the term, the Governor must appoint a member to FCC as provided by the bill.

CFAP segments – school districts' costs

- Specifies that, if a district satisfies certain conditions, the district's portion of the cost for a second or subsequent segment of a project, under the Classroom Facilities



Assistance Program (CFAP), must be based on the district's current percentile ranking (rather than its percentile ranking when the project was segmented, as under current law).

Joint vocational district projects

- Permits FCC to select one joint vocational school district in each of FYs 2018 and 2019 to receive assistance to: construct a new complete classroom facility as a replacement for one or more facilities, renovate the district's existing facilities, or both.
- Specifies that FCC must select a district that has a compelling need for new construction and demonstrates that the project is necessary to meet the workforce deficiency or demand in the local community or a local industry.
- Specifies that the district's portion of the total cost of the project is to be calculated in accordance with current law, but not to exceed 50%, and specifies that the state's portion may not exceed \$26 million.

1:1 School Facilities Option Program

- Establishes the 1:1 School Facilities Option Program as an alternative to assist school districts that have not entered into an agreement for classroom facilities assistance (except for emergency assistance) with constructing, acquiring, reconstructing, or making additions or repairs to any feature of a classroom facility.
- Specifies that a district may participate in the alternative program only when it becomes eligible for assistance under CFAP or the Vocational School Facilities Assistance Program (VFAP), based on its wealth percentile ranking.
- Specifies that a district that opts to receive assistance under the alternative program may receive up to \$1 million or 10% of what would be the state's share of the district's total project cost under CFAP or VFAP, provided the district matches the state funds it receives on a one-to-one basis.
- Disqualifies a district that receives assistance under the alternative program for subsequent assistance under CFAP or VFAP for 20 years after it enters into an agreement under the alternative program.

Repeal of reporting requirements

- Repeals a provision requiring the submission of a report by a public entity to FCC regarding a capital facilities project funded wholly or in part using state funds.



- Repeals a provision requiring annual submission of a report by the Attorney General to the FCC Executive Director on any mediation and litigation costs associated with capital facilities projects for which a judgment has been rendered.



GENERAL ASSEMBLY

Review of cabinet departments

- Establishes a procedure for the General Assembly to periodically review cabinet departments, with certain departments reviewed either each even-numbered or odd-numbered General Assembly.
- Requires the review to be done by standing committees directed to do so by the Speaker of the House and Senate President.
- Requires each department scheduled for review to submit to the standing committee a report that contains specified information, and requires the standing committee to consider certain factors in its review.
- Permits the standing committee to publish a report of its findings regarding a reviewed department.
- Expressly authorizes the General Assembly to abolish, terminate, or transfer a department by no other means except by the enactment of a law.
- Authorizes the General Assembly to review, consider, evaluate, and report on the usefulness, performance, and effectiveness of other departments and, if reviewed, requires the Chief of the Common Sense Initiative Office to testify regarding the department.
- Modifies the schedule of performance audits conducted by the Auditor of State to coincide with the periodic review of cabinet departments.

OFFICE OF THE GOVERNOR

Antitrust review by CSI Office

- Requires the Common Sense Initiative Office to review and approve or disapprove actions or proposed actions that have been referred to it and may have antitrust implications taken by boards and commissions that regulate an occupation or industry.
- Voids an action or proposed action disapproved by the Office.
- Allows a board or commission that has taken or proposes to take an action, person who is affected or is likely to be affected by an action taken or proposed to be taken by a board or commission, or a person granted a stay in court under the bill to refer an action for review by the Office.
- Requires a person to obtain a determination from the Office before pursuing a court action for a violation of antitrust laws, and grants the state, a board or commission, or a member of a board or commission the right to request a stay of antitrust proceedings pending in a court that lasts until the Office approves or disapproves the action.
- Exempts the following persons from the exhaustion requirement and the stay of court proceedings: the Attorney General, a county prosecutor, or any assistant prosecutor designated to assist a county prosecutor.
- Exempts from the Office's review any action in which members of the board or commission who are members of the profession affected by the action are statutorily prohibited from participating in the action.
- Requires the Office to adopt rules under the Administrative Procedure Act to implement and administer the bill's review provisions.

Health Services Price Disclosure Study Committee

- Eliminates the Health Services Price Disclosure Study Committee in the Governor's Office of Health Transformation.



DEPARTMENT OF HEALTH

Vital statistics processes

- Modifies various provisions of the Vital Statistics Law to reflect new processes the Ohio Department of Health (ODH) has implemented for the filing of births and deaths as it transitions to exclusive use of electronic birth and death registration systems.
- Repeals provisions that require local registrars of vital statistics to transmit to the State Registrar of Vital Statistics Social Security numbers on birth and death certificates.

Abuse of residents

- Includes psychological abuse, sexual abuse, and exploitation as additional types of misconduct in a long-term care facility that must be reported.
- Requires licensed health professionals to report abuse, neglect, exploitation, and misappropriation to the facility, rather than to the Director of Health.
- Requires a statement of findings of abuse, neglect, exploitation, or misappropriation of a resident by a licensed health professional to be included in the Nurse Aide Registry.
- Prohibits certain employers from employing a licensed health professional if there is a statement in the Registry of abuse, neglect, exploitation, or misappropriation by the professional.
- Requires the Director of Health to release to the Department of Aging the identity of a patient or resident who receives assisted living services in certain circumstances.

Nursing home inspection – increased capacity

- Provides that a nursing home does not need to be inspected before the Director of Health increases its licensed capacity if the resident rooms to which the beds will be added were inspected (as part of the nursing home's most recent inspection) for the same number of residents proposed to be placed in a room after the capacity increase.

Confidentiality of HIV/AIDS information

- Clarifies that information regarding an HIV test that an individual has had, or an individual's AIDS or AIDS-related diagnosis, may be disclosed to any physician who treats the individual.

Moms Quit for Two grants

- Retains the Moms Quit for Two Grant Program to provide grants to private, nonprofit entities or government entities that demonstrate the ability to deliver evidence-based tobacco cessation interventions to pregnant women and women living with children who reside in communities with high infant mortality.

WIC vendor contracts

- Requires ODH to process an application for a Women, Infants, and Children (WIC) vendor contract within 45 days if the applicant already has a WIC vendor contract.

Third-party payment for ODH goods and services

- Generally prohibits ODH from paying, on or after January 1, 2018, for goods and services an individual receives through ODH or an ODH grantee or contractor if the individual has coverage for those goods and services through another source.
- Specifies that the prohibition does not apply when it is expressly contrary to another Ohio statute or when, as determined by the Director, ODH funds are required to mitigate the spread of infectious disease or are needed for exceptional circumstances.

Lead-safe residential rental units

- Eliminates the legal presumption that residential units, child care facilities, or schools constructed before January 1, 1950, do not contain a lead hazard if the owner undertakes preventative treatments called essential maintenance practices.
- Eliminates all procedures and requirements related to essential maintenance practices that apply to those residential units, child care facilities, and schools.
- Establishes lead abatement procedures and requirements specific to residential rental units by doing all of the following:

--Requiring the Director to establish and maintain a lead-safe residential rental unit registry;

--Specifying that the owner of a residential rental unit constructed before January 1, 1978, may register that unit as lead-safe on the registry if the owner has implemented specified lead-safe maintenance practices;

--Allowing residential rental units constructed after January 1, 1978, and units determined to be lead free to be included in the registry;

--Establishing procedures, requirements, and exemptions regarding the lead-safe registry;

--Requiring a person seeking to conduct residential rental unit lead-safe maintenance practices to participate in a training program approved by the Director; and

--Requiring the Director to establish a nonrefundable application fee for seeking approval of a training program.

"Choose Life" Fund

- Authorizes the Director to distribute money in the "Choose Life" Fund that were paid into the Fund during years prior to the current distribution year and that were not distributed due to the lack of an eligible organization in the same manner as the Director may otherwise distribute funds.

Hospital data reporting

- Repeals provisions requiring hospitals to submit to the Director information on meeting performance measures and inpatient and outpatient services.

OVI drug concentration technology

- Eliminates "gas chromatography mass spectrometry" as the sole technology used to measure the concentration of marijuana metabolite for purposes of the OVI law, thus allowing the use of different technologies.

Hospital nurse staffing plan

- Requires each hospital to have its own nursing services staffing plan reviewed by the hospital's nursing care committee at least once every two years, rather than annually.
- Requires a hospital, not later than March 1 each even-numbered year, to submit to ODH its nursing services staffing plan in effect at that time.

State Board of Sanitarian Registration

- Eliminates the State Board of Sanitarian Registration and transfers its duties and powers regarding the regulation of sanitarians-in-training and sanitarians to the Director of Health.
- Requires the Director to establish an advisory board to advise the Director regarding the registration of sanitarians-in-training and sanitarians and other matters.
- Reduces by 25% the amount in current law that the Director can charge for an application for registration as a sanitarian or a sanitarian-in-training or for a late fee.

Breast and Cervical Cancer Project

- Requires the ODH to set new eligibility requirements for services provided through the Ohio Breast and Cervical Cancer Project (BCCP).
- Requires ODH to adopt rules specifying the cost sharing limit for each screening and diagnostic service that may be obtained through the BCCP.
- Repeals a provision that permits the BCCP to use remaining contributed funds, after paying for screening, diagnostic, and outreach services provided by local health departments, federally qualified health centers, or community health centers, to pay for services provided by other providers.

Health Care Compact

- Adopts "The Health Care Compact," which permits Ohio to become a member state and, along with other member states, enact the Compact.
- Provides the legislature of a member state with the primary responsibility to regulate health care.
- Authorizes a member state to suspend the operation of any federal law, rule, regulation, or order regarding health care that is inconsistent with laws and regulations adopted under the Compact.
- Provides a member state with federal money up to an amount equal to the member state's current year funding level for that federal fiscal year.
- Establishes the Interstate Advisory Health Care Commission, which consists of members appointed by each member state.



- Specifies that the Compact is effective upon its adoption by at least two member states and consent of Congress.

Smoke Free Workplace Act – research exception

- Exempts, from the Smoke Free Workplace Act, qualifying enclosed spaces in certain laboratory facilities when used for clinical research activities related to the health effects of smoking or the use of tobacco.

Central intake and referral – home visiting and early intervention

- Requires that the central intake and referral system that recently enacted law requires for home visiting services serve as a single point of entry for access, assessment, and referral of families to part C early intervention services as well.
- Requires ODH and the Department of Developmental Disabilities to share any funding made available to each for local outreach and "child find" efforts after creating the central intake and referral system.

Palliative care facility licensure – correction

- Repeals a provision regarding palliative care facility licensure that was inadvertently enacted because of an LSC drafting error while preparing a committee report.

Prohibited conduct in RV parks

- Prohibits certain felonious conduct (nuisance activities) in recreational vehicle parks and combined use park camps.
- Requires the local board of health to send notice to the park operator, after the occurrence of two nuisance activities on the park property, that the operator is at risk of losing its license if another nuisance activity occurs within a six-month period.
- Requires the camp licensing entity to revoke a park operator's license if the licensing entity receives notice that three or more nuisance activities have occurred in the park in a six-month period.

Certificates of need

- Provides that a change in the owner or operator of a long-term care facility for which a certificate of need was granted that occurs during the five-year period of monitoring by ODH is not a reviewable activity unless the new owner or operator is associated with certain violations specified in existing law.

Ohio Lead Legislative Study Group

- Establishes the Ohio Lead Legislative Study Group to study lead poisoning treatment and control issues and to propose a plan to address those issues.
- Requires the chairs and ranking minority members (or their designees) of the House and Senate committees with primary responsibility over health and education issues to serve on the Study Group.
- Requires the Governor to appoint 11 specific members to the Study Group, and requires the Study Group to appoint ten additional members representing interested agencies and advocacy groups.
- Requires the Study Group to submit a report of its findings and recommendations to the Speaker and Minority Leader of the House and the President and Minority Leader of the Senate not later than 18 months after the bill's effective date.
- Specifies that the Study Group ceases to exist after submitting the report.

Legislative Committee on Public Health Futures

- Re-establishes the Legislative Committee on Public Health Futures.
- Requires the Committee to review the reports of previous public health futures committees in Ohio and to prepare a report that includes the Committee's review of the previous reports, previous policy recommendations, and new policy recommendations.
- Provides that the Committee must produce its report by January 31, 2019, and dissolves the Committee once the report is issued.

Program for Medically Handicapped Children

- Requires that any Medicaid provider be approved to provide the same goods and services under the Program for Medically Handicapped Children (also known as "BCMh") that the provider is approved to provide under the Medicaid Program.

DEPARTMENT OF HIGHER EDUCATION

Restriction of instructional fee increases

- For the 2017-2018 academic year, permits a state university and a university branch to increase its instructional and general fees by not more than \$10 per credit hour over the previous academic year.
- For the 2018-2019 academic year, permits a state university and a university branch to increase its instructional and general fees by not more than the previous year's rate of inflation or by 2%, whichever is lower, over what the institution charged in the 2017-2018 academic year.
- Specifies that instructional and general fee increases by a state university or university branch for the 2017-2018 and 2018-2019 academic years be used to support quality academic programming, need-based financial aid, and career services.
- Permits community colleges, state community colleges, and technical colleges to increase instructional and general fees by not more than \$10 per credit hour over what was charged in the previous academic year.
- Excludes room and board, student health insurance, auxiliary goods or services fees provided to students at cost, pass-through fees for licensure and certification exams, study abroad fees, elective service charges, fines, voluntary sales transactions, career services, and fees to offset the cost of providing textbooks to students, which may appear directly on a student's tuition bill as assessed by the institution's bursar from the fee restrictions.
- Permits the charging of noninstructional fees if the Chancellor of Higher Education determines a fee increase is necessary to provide quality services to students.
- Requires an institution that increases a fee as permitted by the bill demonstrate, at the Chancellor's request, that revenue derived from the fee is dedicated for the purposes for which the fee is assessed.

Textbooks

- Requires state institutions of higher education annually to report to the Efficiency Advisory Committee on its efforts to reduce textbook costs for students.
- Requires state institutions to conduct an annual study of the current costs of textbooks and to submit it to the Chancellor.



- Requires the board of trustees of each state institution of higher education to adopt a textbook selection policy outlining faculty responsibilities and actions faculty may take when choosing and assigning textbooks and other instructional materials.

In-state tuition for transferred G.I. Bill beneficiaries

- Qualifies for in-state tuition at state institutions of higher education persons who are receiving transferred G.I. Bill benefits from a service member who is on active duty, rather than only from a veteran who has completed service, as under current law.

Remedial and developmental courses

- Applies the current statutory limits on state operating subsidies for academic remedial or developmental courses only to remedial or developmental courses "completed at the main campus" of most state universities.
- Maintains the current exemption allowing for Central State University, Shawnee State University, Youngstown State University, any university branch campus, any community college, any state community college, and any technical college to receive these subsidies beyond the statutory limits.

Applied bachelor's degree programs at two-year institutions

- Permits the Chancellor, in consultation with interested groups, to approve community colleges, technical colleges, and state community colleges to offer applied bachelor's degrees if specified conditions are satisfied.
- Requires the Chancellor to conduct and complete two studies of the applied bachelor's degree programs to determine their effects on fulfilling the needs of students and local industry (one to be completed by December 31, 2020, and one to be completed by December 31, 2022).

"3+1" baccalaureate degree model

- Requires the Chancellor, by June 30, 2018, to develop a "3+1" baccalaureate degree program model where a student may earn a bachelor's degree by attending a two-year state institution of higher education for three years and a state university for one year.

Noncredit certificate programs

- Requires the Chancellor, by January 1, 2018, to create an inventory of credit and noncredit certificate programs and industry-recognized credentials offered at state

institutions of higher education and Ohio Technical Centers that align with in-demand jobs in Ohio.

- Requires the Chancellor, when awarding funds from the OhioMeansJobs Workforce Development Revolving Loan Fund, to give preference to certificate programs that support adult learners.
- Increases the maximum award amount, from \$100,000 to \$250,000 (per workforce program per year), to an institution under the OhioMeansJobs Workforce Development Revolving Loan Program.

Workforce compacts

- Requires all state institutions of higher education located in the same region of the state to enter into a workforce education and efficiency compact by June 30, 2018.
- Requires state institutions designated as "land grant colleges" under federal law (Ohio State University and Central State University) to also enter into a compact with one another to enhance collaboration.

Competency-based education programs

- Permits the Chancellor to recognize or endorse a regionally accredited private nonprofit institution of higher education created by the governors of several states, a state institution of higher education, or a private nonprofit institution of higher education for the purpose of providing competency-based education programs.

Student assistance programs

- Requires that an Ohio College Opportunity Grant (OCOG) be applied toward the total state cost of attendance and the student's housing and living expenses, if the student is also receiving federal veterans' education benefits under the G.I. Bill.
- Qualifies for OCOG persons with intellectual disabilities who are enrolled in comprehensive transition and postsecondary programs (degree, certificate, or nondegree programs involving academic, career, technical, and independent living instruction) certified by the U.S. Department of Education.
- Authorizes the Adjutant General and Chancellor, for purposes of the Ohio National Guard Scholarship Program, to require that federal educational financial assistance, for which eligibility is based on military service, be used and applied to a recipient's eligible expenses prior to the recipient's scholarship funds.

- Repeals the Workforce Grant Program which provides grant funds to a public or private institution of higher education or an Ohio Technical Center to make grants to eligible students pursuing degrees, certificates, or licenses that qualify students for an in-demand job.
- Renames the State Need-Based Financial Aid Reconciliation Fund as the State Financial Aid Reconciliation Fund and makes miscellaneous changes regarding its use.

Tenure at state universities

- Requires the board of trustees of each state university to review the university's policy on faculty tenure and update that policy to promote excellence in instruction, research, service, commercialization, or any combination thereof.
- Requires a state university to include multiple pathways for tenure in its policy, one of such may be the commercialization pathway, in order to receive specified research funds from the Department of Higher Education.

Paid leave donation programs

- Allows a state institution of higher education to establish a program under which an employee may donate accrued but unused paid leave to another employee of the institution who has a critical need for it because of circumstances such as a serious illness or a family member's serious illness.

Financial interests in intellectual property

- Requires state institutions of higher education to adopt rules under which an employee may receive a financial interest in intellectual property.

Rhodes State College designation

- Permits the Chancellor to designate Rhodes State College as a state community college rather than a technical college, as it was established and organized originally.
- Requires the initial board of trustees of the designated state community college to be appointed in the manner prescribed for appointments of initial boards of trustees of other state community colleges under current law.
- Specifies that members of the board of trustees as it existed on the date of the Chancellor's designation may serve the balance of their current terms as part of the initial board.

- Requires the initial board of trustees to enter into an agreement with the Chancellor within 90 days after the board's appointment that designates the county or counties to be included in the state community college's district.

OSU utility agreement

- Allows the Ohio State University Columbus campus to issue a request for proposals and select a special purpose vehicle with whom to enter into a utility agreement to improve the energy efficiency of the utility system on that campus, beginning in calendar year 2017.
- Exempts OSU and the selected special purpose vehicle from several aspects of current law regarding the sales and use tax, public utilities regulation, disposal of state agency excess or surplus supplies, construction management contracts, public improvements, and use of certain proceeds.
- Provides that a special purpose vehicle cannot own any utility services delivered to the Columbus campus by a public utility, and that OSU must be the customer of record for any public utility providing service to the Columbus campus while the utility agreement is in effect.
- Prohibits OSU or the special purpose vehicle from selling electricity generated by the utility system to any customer outside of the utility system, unless otherwise permitted under federal and state laws and the rules of the Public Utilities Commission of Ohio (PUCO).
- Provides that OSU is not exempt from any applicable public utilities tariffs or PUCO rules or any other applicable federal or state law.
- Provides that authority regarding the utility agreement requirements terminates upon completion of all obligations under the agreement.

University housing, dining, recreational facilities

- Permits a university housing commission to develop or redevelop housing, dining, and recreation (HDR) facilities on a property site within or outside the political subdivision in which the university's administrative offices are principally located.
- Applies all of the following to certain HDR facility property sites located outside the political subdivision:

--HDR uses permitted under continuing law are unconditionally permitted on the property sites;



--Development may accommodate population and structural densities exhibited on other university or university housing commission property;

--Land use laws of local subdivisions, subdivision regulations, and other similar laws cannot prohibit, condition, limit, or impair development of the HDR facilities on the property sites.

Lease-rental payments

- Repeals the Chancellor's duties regarding lease-rental payments to the Public Facilities Commission to pay for facilities for state supported or assisted institutions of higher education.

Reports, studies, and initiatives

- Codifies an uncodified provision that requires the Chancellor to maintain an efficiency advisory committee and provide a report by December 31 each year compiling efficiency reports from all state institutions of higher education.
- Requires co-located state institutions of higher education to annually review and report its best practices and shared services to the Efficiency Advisory Committee, and requires the Committee to include co-location information in its annual report.
- Revises the content and timing of the course and program reviews required of state institutions of higher education.
- Requires the Chancellor, in conjunction with the Department of Education, to submit an annual report on the progress the state is making in "Attainment Goal 2025," to increase the percentage of adults with a postsecondary degree, certification, or credential to 65% by 2025.
- Requires the Chancellor to work with state institutions of higher education, Ohio Technical Centers, and industry partners to develop program models leading to credentials in in-demand occupations.
- Requires the Chancellor to support the continued development of the "Ohio Innovation Exchange" to showcase the research expertise of Ohio's university and college faculty in a variety of fields and to identify institutional research equipment available in the state.
- Requires the Chancellor, Director of the Governor's Office of Workforce Transformation, and Superintendent of Public Instruction to develop a program targeted at increasing the number of students who pursue degrees in advanced technology and cyber security.

OFFICE OF THE INSPECTOR GENERAL

- Extends the term of the current Inspector General by two years to end January 11, 2021, instead of January 13, 2019, and modifies the general term of the Inspector General to begin every four years thereafter on the second Monday of January.



DEPARTMENT OF INSURANCE

Suspension of open enrollment and other insurance programs

- Extends from January 1, 2018 to January 1, 2022, a provision of law that suspends Ohio's Open Enrollment Program, Ohio's Health Reinsurance Program, and conversion options under an existing health benefit plan.
- Requires that if sections of the federal Patient Protection and Affordable Care Act of 2010 related to health insurance coverage become ineffective before the suspension expires on January 1, 2022, the suspended sections again become operational.

Prior authorization

- Exempts dental benefits offered as a part of a health benefit plan from prior authorization requirements imposed on health plan issuers.

Health insuring corporation quality assurance

- Enables a health insuring corporation to use an accreditation from the Accreditation Association for Ambulatory Health Care to meet quality assurance program requirements.

Education on mental health and addiction services

- Requires the Superintendent of Insurance, in consultation with the Director of Mental Health and Addiction Services, to develop consumer education on mental health and addiction services insurance parity.
- Requires the Superintendent and Director to establish a consumer hotline to help consumers understand their insurance benefits as part of this consumer education.
- Requires the departments to jointly report to the General Assembly annually on their efforts under the program.

Moratorium on new health care mandates

- Prohibits for the remainder of the 132nd General Assembly any new health care mandates impacting individual and group health insurance plans not subject to ERISA.



Application for ACA waiver

- Requires the Superintendent to apply, by January 31, 2018, to the U.S. Secretary of Health and Human Services and the U.S. Secretary of the Treasury for an ACA innovative waiver regarding health insurance coverage in Ohio as mandated under current Insurance Law.



DEPARTMENT OF JOB AND FAMILY SERVICES

Workforce development system

- Changes the membership of the Governor's Executive Workforce Board and modifies its duties with respect to Ohio's workforce development system.
- Modifies the requirements for written grant agreements for the allocation of funds under the federal Workforce Innovation and Opportunity Act (WIOA).
- Requires the Governor's Office of Workforce Transformation (OWT) to undertake various tasks regarding the creation, collection, and display of data concerning Ohio's workforce development system and develop a uniform electronic application for adult training programs funded under WIOA.
- Requires every local area (a specified region for workforce development purposes) to ensure the availability of a physical one-stop location called an "OhioMeansJobs center" in the local area for the provision of workforce development activities under WIOA.
- Changes the requirements for local workforce development plans and specifies that those plans must be four-year plans (as required under WIOA).
- Eliminates current state law requirements for the membership and responsibilities of local boards for workforce development, and instead requires that the board carry out the functions described in and meet the membership requirements of WIOA.
- Requires the Governor, upon determining that there has been a substantial violation of a provision of WIOA, to take action to revoke approval of all or part of a local workforce development plan or to impose a reorganization plan for local workforce development activities.
- Requires the chief elected official or officials of a local area to monitor all private and government entities that receive funds allocated under a grant agreement to ensure that the funds are used in accordance with state laws, policies, and guidance.
- Requires the Director of Job and Family Services (JFS Director) to review and make any necessary changes to the criteria of workforce development programs to allow home health agency employees to participate in a program to the extent possible.
- Requires an OhioMeansJobs center operator to enter into a memorandum of understanding with one or more public libraries to facilitate collaboration and coordination of workforce programs and education and job training resources.

- Permits OWT, in conjunction with the Ohio Library Council, to develop a brand for public libraries as "continuous learning centers."
- Replaces references to the Workforce Investment Act of 1998 with references to WIOA.

Comprehensive Case Management and Employment Program

- Makes the Comprehensive Case Management and Employment Program an ongoing program rather than one that expires July 1, 2017.
- Reduces the minimum age of participation in the Program from 16 to 14 years.
- Makes other revisions to the Program, including (1) permitting the JFS Director to specify in rules additional mandatory and voluntary participation groups and (2) clarifying that the Program may be funded by the TANF block grant or the Workforce Innovation and Opportunity Act.

Healthier Buckeye Grant pilot

- Permits grants awarded under the Healthier Buckeye Grant Pilot Program to be expended through December 31, 2017.

Disability Financial Assistance

- Beginning December 31, 2017, eliminates the Disability Financial Assistance Program within JFS.
- Requires the Executive Director of the Office of Health Transformation to ensure the establishment of a program to refer certain Medicaid recipients to services and assist certain Medicaid recipients to expedite applications for federal benefits.

Ohio Works First

- Requires the JFS Director to specify in rules an initial amount of gross earned income that is to be disregarded in determining an assistance group's continued eligibility for Ohio Works First.

Healthy Food Financing Initiative

- Requires the JFS Director to contract with the Finance Fund Capital Corporation to administer the Healthy Food Financing Initiative to support healthy food access in underserved communities in urban and rural areas with low and moderate income.

- Requires the Director, not later than December 31, 2018, to provide a written progress report on the Initiative.

Kinship Permanence Incentive Program

- Repeals the 48-month time limit under which a kinship caregiver may receive additional payments under the Kinship Permanency Incentive Program.
- Provides that an eligible caregiver may receive a maximum of eight payments per minor child.

Family and Children First Flexible Funding Pool

- Permits a county family and children first council to create a flexible funding pool to assure access to services by families, children, and seniors in need of protective services.

Ohio Children's Trust Fund Board

- Repeals the requirements that: (1) five of the members appointed to the Ohio Children's Trust Fund Board be residents of metropolitan statistical areas exceeding 400,000 in population and (2) no two of those five members be residents of the same metropolitan statistical area.

Child welfare applicant fitness

- Requires the executive director of a public children services agency (PCSA), or designee, to review promptly any information relevant to evaluating an applicant's fitness before employing the applicant, including an applicant who is an intern or volunteer.
- Specifies that the information reviewed must include any child abuse and neglect reports made involving the applicant; the final disposition, or status of, the child abuse and neglect report investigations; and any underlying report documentation.
- Prohibits the name of the person or entity that made the report of child abuse or neglect or participated in making the report from being included in the information the PCSA reviews.
- Requires the JFS Director to adopt rules to implement the fitness review requirements.

Foster Care Advisory Group

- Creates the Foster Care Advisory Group in JFS to advise and assist it in identifying and implementing best practices to recruit, retain, and support foster caregivers.
- Requires the Advisory Group to issue a report regarding matters affecting foster caregivers and that the Advisory Group will dissolve after the report is issued.

SNAP Employment and Training planning committee

- Requires the JFS Director, in collaboration with the Chancellor of Higher Education, to convene a Supplemental Nutrition Assistance Program Employment and Training Program planning committee to develop a plan for the expansion of the program and to incorporate the plan into the annual state plan submitted to the U.S. Department of Agriculture.



JOINT COMMITTEE ON AGENCY RULE REVIEW

- Prohibits an agency whose rule has been invalidated by a concurrent resolution from reintroducing that rule or any version of it during the term of the General Assembly in which the concurrent resolution invalidating the rule was adopted.
- Provides that the General Assembly may adopt a concurrent resolution to authorize an agency to institute or continue rule-making procedures for an invalidated rule or a version of the invalidated rule, but the agency may not adopt any version of the rule until the rule has been submitted to the Joint Committee on Agency Rule Review and the time for legislative review of the rule has expired.



JOINT EDUCATION OVERSIGHT COMMITTEE

- Abolishes the Joint Education Oversight Committee on October 1, 2017.



JOINT LEGISLATIVE ETHICS COMMITTEE

- Requires that all moneys credited to the renamed Joint Legislative Ethics Committee Investigative and Financial Disclosure Fund be used solely for expenses related to the Committee's investigative and financial disclosure functions.



JOINT MEDICAID OVERSIGHT COMMITTEE

- Requires JMOC to conduct a study regarding the feasibility of implementing both a plan similar to the Healthy Indiana Plan and a high-risk pool in Ohio.



JUDICIARY/SUPREME COURT

Temporary custody of child

- Permits an abused, neglected, dependent, unruly, or delinquent child to be placed in the temporary custody of any person approved by the juvenile court rather than any *home* approved by the juvenile court.

Annual review hearing change

- Removes the requirement for the juvenile court to continue holding case review hearings for a child subject to a legal-custody order if:
 - The child is not subject to an order of protective supervision;
 - No public children services agency or private child placing agency is providing services to the child; and
 - The court finds that further reviews are not necessary to serve the child's best interests.

Sales on execution

- Modifies the notice and disposition requirements for balances remaining after sales on execution.

Recovery for wrongful imprisonment

- Specifies that the requirement that a "wrongfully imprisoned individual" determination be made in a civil action in the common pleas court that heard the underlying criminal action applies to nonresidents of Ohio and allows Ohio residents to file the action in either that common pleas court or the one serving the county of residence.
- Modifies several of the criteria that an individual must satisfy in order to be a "wrongfully imprisoned individual" and provides for retroactive application of the modification to the "error in procedure that resulted in the individual's release" criterion.
- Requires the Court of Claims to deduct any known debts owed by a wrongfully imprisoned individual to the state or a political subdivision from the money that the individual otherwise would be awarded and pay those deducted amounts to the state or political subdivision.



LAKE ERIE COMMISSION

- Eliminates the Lake Erie Resources Fund, the purposes of which duplicate the purposes of the Lake Erie Protection Fund.
- Transfers all money in the Lake Erie Resources Fund to the Lake Erie Protection Fund.



LEGISLATIVE SERVICE COMMISSION

- Abolishes the Ohio Constitutional Modernization Commission and requires the Commission to cease operations on or before July 1, 2017.



LIQUOR CONTROL COMMISSION

- Requires the Liquor Control Commission to allow retail liquor permit holders to offer personal consumers a 10% discount off the per-bottle retail sale price on each bottle included in a case that is offered for sale, provided that:
 - The case is between 6 and 12 bottles; and
 - The bottles of wine in the case are the same brand and variety and hold the same volume.



STATE LOTTERY COMMISSION

Assistant and deputy directors

- Eliminates the requirement that the Director of the State Lottery Commission appoint deputy directors in specific areas and instead permits the Director to appoint deputy directors as needed.
- Requires the Assistant Director of the Commission, or a designated deputy director if there is no Assistant Director, to act as Director in the absence or disability of the Director.

Credit card use

- Prohibits the Commission from adopting rules to allow a lottery sales agent to accept a credit card to purchase a lottery ticket, except at a video lottery terminal (VLT).

Video lottery terminals

- Authorizes the Commission to adopt rules governing a voluntary exclusion program for VLT participants.
- Requires the identity and personal information of voluntary exclusion program participants to be kept confidential.

MANUFACTURED HOMES COMMISSION

Removal from manufactured home parks

- Modifies procedures regarding the removal of abandoned or unoccupied manufactured homes, mobile homes, or recreational vehicles.
- Requires the park operator to provide a person that has an outstanding interest in the home or vehicle a written notice to remove it from the park or arrange for its sale within 21 days from the delivery of the notice.
- Permits the park operator to remove the home or vehicle from the manufactured home park, or sell, destroy, or transfer ownership of the home or vehicle, if a person does not come forward with an outstanding interest.
- Requires the park operator to submit a notarized affidavit listing the value of an abandoned home or vehicle and the affidavit to be signed by the auditor confirming the value, and establishes procedures if there is a disagreement over the value.
- Permits the park operator to remove the home or vehicle from the park and potentially sell, destroy, or transfer ownership if a probate court does not grant administration of a deceased resident's estate within 90 days from eviction, reduced from one year under existing law.
- Establishes procedures to identify and notify persons with an interest in the home or vehicle of a deceased resident.
- Revises the required contents of the writ of execution.
- Eliminates the requirement that a lienholder consent to the transfer of title, if the judgment is executed by transfer of title.
- Provides immunity for a sheriff, police officer, constable, or bailiff for damage caused by the park operator's removal of the home, vehicle, or personal property from the premises, or any damage to the home, vehicle, or personal property when the home or vehicle remains abandoned or stored in the park.

Contracts with local boards of health – nuisances

- Authorizes the Manufactured Homes Commission to contract with a local board of health to permit the Commission to exercise the board's authority to abate and remove any abandoned or unoccupied home or vehicle that constitutes a nuisance and is located in a manufactured home park.



Installation standards

- Removes the option of the Commission to adopt, as the uniform standards for the design and installation of manufactured housing, manufacturers' standards that are equal to or not less stringent than the federal model standards.

Inspections and inspectors

- Permits a township, municipal corporation, or county that does not have a certified building department regarding manufactured homes to designate the certified building department of another political subdivision to perform manufactured home inspection duties for it.
- Establishes fees for manufactured home inspector certification and certification renewal.

Condition of manufactured home park

- Requires the park operator to ensure that all buildings, lots, streets, walkways, homes, and other facilities located in the park are maintained in satisfactory condition at all times.

DEPARTMENT OF MEDICAID

State agency collaboration

- Extends to FYs 2018 and 2019 provisions that authorize the Office of Health Transformation Executive Director to facilitate collaboration between certain state agencies for health transformation purposes and authorize the exchange of personally identifiable information regarding a health transformation initiative.

Health and Human Services Fund

- Provides for the Health and Human Services Fund to continue to exist for the 2018-2019 fiscal biennium.
- Permits the Medicaid Director to request that the Controlling Board authorize expenditures from the Fund in an amount necessary to pay for the Medicaid program's costs during the 2018-2019 fiscal biennium.
- Permits the Controlling Board to authorize the expenditure unless the U.S. Congress amends federal law to reduce the federal match for the Medicaid program.

Eligibility for expansion group

- Prohibits new enrollment in the Medicaid expansion group beginning July 1, 2018.
- Prohibits continuing enrollment in the expansion group if an individual ceases to meet eligibility requirements or the federal government reduces its share of Medicaid expenditures.
- Requires the Medicaid Director to establish a waiver program under which an individual included in the Medicaid expansion group must satisfy additional requirements to be eligible for Medicaid.

Coverage of optional eligibility groups

- Eliminates the Medicaid program's authority to cover an optional eligibility group if state statutes do not address whether the program may cover the group.
- Permits the Medicaid program to cover an optional eligibility group currently covered by the program.
- Prohibits the Medicaid program from covering an optional eligibility group that the program does not currently cover unless state statutes either require the group to be covered or expressly permit the group to be covered.



Revised system to become and remain a Medicaid provider

- Requires the Department of Medicaid (ODM) to revise, by December 31, 2018, the system by which government and private entities become and remain Medicaid providers.

Programs to transfer individuals to home and community care

- Abolishes the Ohio Access Success Project on January 1, 2019.
- Requires ODM, not later than that date, to transfer Medicaid recipients enrolled in the project to the Helping Ohioans Move, Expanding (HOME) Choice program or another Medicaid waiver program that provides home and community-based services.

State plan home and community-based services

- Permits the Medicaid program to continue to cover state plan home and community-based services beyond July 1, 2017.

Payment rates

- Requires ODM to rebase nursing facilities' cost centers at least once every five state fiscal years instead of not more than once every ten years and requires each cost center to be rebased for the same state fiscal years.
- Allows, instead of prohibiting, the use of the index maximizer element of the grouper methodology used in determining nursing facilities' case-mix scores.
- Makes changes to the quality indicators used for the purpose of the quality portion of nursing facilities' rates.
- Provides for a new nursing facility's initial rate for tax costs to be an amount determined by dividing its projected tax costs for the calendar year in which it begins to participate in Medicaid by a 100% imputed occupancy rate if the nursing facility submits the projected tax costs to ODM.
- Provides for the default Medicaid rate for nursing facility services determined under the alternative purchasing model to be 34%, instead of 60%, of the statewide average of the Medicaid rate for long-term acute care hospital services.
- Provides that the total payments for nursing facility services provided under Medicaid fee-for-service and the Integrated Care Delivery System (i.e., MyCare Ohio) cannot exceed \$2,659,167,368 for FY 2018 and \$2,664,485,703 for FY 2019.

- Requires that nursing facilities' rates be decreased as necessary to ensure that the total amount of the payments equals those amounts.
- Provides for adjustments beginning in FY 2020 in an amount that equals the difference between the Medicare skilled nursing facility market basket index and a budget reduction adjustment factor.
- States the General Assembly's intent to enact laws that specify the budget reduction adjustment factor for each state fiscal year.
- Sets the budget reduction adjustment factor at zero for a state fiscal year if the General Assembly fails to enact such a law for that year.
- Requires that the Medicaid rates for certain neonatal and newborn services equal 75% of the Medicare rates for the services.
- Requires that the Medicaid rates for other services selected by the Medicaid Director be reduced to avoid an increase in Medicaid expenditures that would otherwise result from the requirements regarding the rates for neonatal and newborn services.
- Requires ODM to establish a maximum Medicaid rate for vision care services provided during the period beginning January 1, 2018, and ending July 1, 2019, unless there are no claims data available to ODM needed to establish the rate.
- Prohibits a payment methodology for vision care services provided during that period from relying on a vision care service provider's charged amount.
- Reduces the Medicaid rates for noninstitutional laboratory, radiology, and pathology services by 5% for the period beginning January 1, 2018, and ending July 1, 2019.
- Requires the Medicaid payment rates for hospital services provided during FYs 2018 and 2019 to equal the rates that were in effect for those services on January 1, 2017.

Delayed implementation of behavioral health redesign

- Requires the Department of Medicaid and Department of Mental Health and Addiction Services to conduct a beta test before implementing updates to Medicaid billing codes or payment rates for community behavioral health services as part of the redesign.
- Prohibits certain elements of the behavioral health redesign from being implemented before the later of January 1, 2018, or the date the beta test requirement is satisfied.

- Requires the departments to do both of the following not later than October 1, 2017, as part of implementing those elements of the redesign: adopt rules and complete and make available to the public provider manuals, claims instructions, information technology resources, and other educational and training documents.

Medicaid managed care

- Requires ODM, if it adds to the Medicaid managed care system during FYs 2018 and 2019 more Medicaid recipients who are aged, blind, disabled, or also enrolled in Medicare, to take certain actions regarding the duties of area agencies on aging relative to home and community-based waiver services.
- Eliminates a requirement that physical health, behavioral health, nursing facility, and home and community-based services be included in the system.
- Prohibits home and community-based waiver services and nursing facility services from being included in the system.
- Establishes a temporary study committee to examine the merits of including such services in the system.
- Requires the General Assembly to consider and vote not later than December 31, 2018, on legislation that would authorize the inclusion of such services in the system.
- Provides for an ongoing advisory committee to be established to advise the Joint Medicaid Oversight Committee on projects concerning the delivery of such services if the General Assembly enacts the legislation.
- Prohibits alcohol, drug addiction, and mental health services from being included in the system before January 1, 2018.
- Requires the Medicaid Director and Director of Mental Health and Addiction Services to complete and make available to the public not later than October 1, 2017, certain policy changes, contract revisions, informational material, and processes regarding the inclusion of the services in the system.
- Beginning January 1, 2018, requires a Medicaid managed care organization that must submit pharmacy claims to ODM under current law to include with each claim the amount charged to and paid by the organization.
- Increases to 5% (from 2%) the maximum amount of Medicaid managed care organization premiums that may be withheld by ODM for purposes of the Managed Care Performance Payment Program for FY 2018 and thereafter, except FY 2019.

- Provides for 1% to be withheld for FY 2019.
- Prohibits ODM from implementing during the 2018-2019 fiscal biennium a program under which Medicaid managed care organizations receive incentives for helping Medicaid recipients attending low-performing primary schools to improve their academic performance.

Waiver for services at institutions for mental diseases

- Requires ODM to create and administer a Medicaid waiver component to provide services to eligible individuals between the ages of 21 and 64 at hospitals and other facilities larger than 16 beds that are primarily engaged in providing diagnosis, treatment, or care to persons with mental diseases.
- Requires ODM to participate in the federal Innovation Accelerator Program to determine where, when, and how services are to be provided under the waiver component.

Medicaid health homes

- Eliminates the authority of the Medicaid Director to implement as part of the Medicaid program a system under which individuals with chronic conditions receive health home services and the Director's authority to implement a similar system for individuals with developmental disabilities.
- Abolishes ODM's Patient-Centered Medical Home Program which is also known as the Comprehensive Primary Care Program.

Retention or collection of federal financial participation

- Permits, rather than requires, ODM to retain or collect a portion of the federal financial participation obtained by a state agency or political subdivision for administering a component of the Medicaid program that was federally approved on or after January 1, 2002.

Third-party liability

- Requires a liable third party to respond to an ODM request for payment of a claim within 90 business days of receiving written proof of the claim.
- Clarifies that the amount owed for care rendered to a Medicaid recipient enrolled in a Medicaid managed care organization with a provider capitation agreement is the amount the organization would have paid in the absence of an agreement.

- Authorizes ODM, when it has assigned its right of recovery to a Medicaid managed care organization, to recoup from a liable third party (beginning one year from the date the organization paid the claim) the amount the organization has not collected.

Health insuring corporation plan franchise fee

- Imposes, for the purpose of raising revenues to pay Medicaid providers and Medicaid managed care organizations, a franchise fee on health insuring corporation plans that make basic health care services available.

Hospital Care Assurance Program and hospital franchise permit fee

- Continues, for two additional years, the Hospital Care Assurance Program and the franchise permit fee imposed on hospitals under the Medicaid program.

Drug dispensing fees

- Permits the Medicaid Director to establish dispensing fees that vary by terminal distributor of dangerous drugs.

Recovery of overpayments

- Reduces from five to three the number of years ODM has to notify a nursing facility or intermediate care facility for individuals with intellectual disabilities of certain Medicaid overpayments.

Fraud, waste, and abuse

- Requires a contract between ODM and a Medicaid managed care organization to address issues of fraud, waste, and abuse in the Medicaid program.
- Provides civil immunity for a Medicaid managed care organization that furnished information to ODM regarding potential fraud, waste, and abuse in the Medicaid program.
- Requires ODM to collect information from other government agencies regarding fraud, waste, and abuse in the Medicaid program.

Retained Applicant Fingerprint Database

- Permits ODM to participate in the Bureau of Criminal Identification and Investigation's Retained Applicant Fingerprint Database system to receive notices about the arrests, convictions, and guilty pleas of independent Medicaid providers of home and community-based services.

- Eliminates a requirement that such an independent provider annually undergo a Bureau-conducted criminal records check if ODM participates in the system.

Resident Protection Fund

- Requires that fines imposed by the federal government against home health agencies for failure to comply with Medicaid participation requirements be deposited into the Residents Protection Fund when disbursed to ODM on or after July 1, 2017 and used to improve the quality of certain Medicaid services.

Refunds and Reconciliation Fund

- Provides for the continued deposit into the Refunds and Reconciliation Fund refunds and reconciliations for which ODM does not initially know the appropriate fund or that are to go to another government entity.

Health Care Services Administration Fund

- Abolishes the Health Care Services Administration Fund and provides for money that would otherwise be deposited into that fund to be deposited instead into the Health Care/Medicaid Support and Recoveries Fund.

Temporary authority regarding employees

- Extends through July 1, 2019, the authority of the Medicaid Director to establish, change, and abolish positions for ODM and to assign, reassign, classify, reclassify, transfer, reduce, promote, or demote employees who are not subject to collective bargaining.

Integrated Care Delivery System performance payments

- For FYs 2018 and 2019, requires ODM to make performance payments to Medicaid managed care organizations that provide care to participants of the Integrated Care Delivery System, and requires ODM to withhold a percentage of the premium payments made to the organizations for the purpose of providing the performance payments.

Nursing facility demonstration project

- Extends until June 30, 2019, a Medicaid demonstration project under which recipients receive nursing facility services in lieu of hospital inpatient services in a freestanding long-term care hospital.

- Provides for one nursing facility in Brown County, and another nursing facility in Sandusky County, to be added to the demonstration project.
- Eliminates a requirement that a nursing facility have been initially constructed, licensed for operation, and certified to participate in Medicaid on or after January 1, 2010, to be eligible to participate in the demonstration project.

Nursing facility bed conversion pilot

- Requires ODM to operate a pilot program during FYs 2018 and 2019 under which nursing facility beds located in Cuyahoga County may voluntarily be converted for use for substance use disorder treatment services.

Care Innovation and Community Improvement Program

- Requires the Medicaid Director to establish the Care Innovation and Community Improvement Program for the 2018-2019 fiscal biennium.
- Permits a nonprofit hospital agency affiliated with a state university and a public hospital agency to participate in the Program if the agency operates a hospital that has a Medicaid provider agreement.
- Specifies the duties of agencies participating in the Program.
- Provides for each participating agency to receive supplemental payments under the Medicaid program for physician and other professional services.

Healthy Ohio waiver submission

- Requires the Medicaid Director to resubmit not later than January 31, 2018, a request for a federal Medicaid waiver needed to implement the Healthy Ohio Program.

General Assembly's intent regarding Medicaid's future

- Declares the General Assembly's intent to use the Healthy Ohio Program as a model if the U.S. Congress transforms the Medicaid program into a federal block grant.

STATE MEDICAL BOARD

General

- Eliminates references to certificates to practice issued to physicians and instead refers to licenses to practice.
- Repeals the law requiring the State Medical Board to administer an examination for physicians seeking to practice in Ohio and instead requires each physician to pass an examination prescribed in rules adopted by the Board.
- Makes changes to the law governing the process by which physicians seek licensure from the Board.
- Modifies the schedule governing the renewal of physician licenses, including the dates by which renewal notices must be provided and renewal applications must be submitted.
- Combines the renewal fee and penalty required to reinstate or restore a physician license that has been suspended due to nonrenewal.
- Authorizes the Board to permit a physician who has failed to complete continuing medical education requirements to agree in writing to complete the education and pay a fine of up to \$5,000, in lieu of the Board taking disciplinary action against the physician.
- Requires the Board to provide a renewal notice one month before the expiration of a certificate to practice a limited branch of medicine.
- Combines the \$100 renewal fee and the \$25 penalty required to reinstate a certificate to practice a limited branch of medicine that has been suspended due to nonrenewal for two years or less.
- Combines the \$100 renewal fee and the \$50 penalty required to restore a certificate to practice a limited branch of medicine that has been suspended due to nonrenewal for more than two years.
- Includes radiologist assistants and genetic counselors in the general law governing criminal records checks of applicants for professional licensure and makes conforming changes.
- Requires an individual who provides cosmetic therapy, massage therapy, or other professional service in a salon to maintain an electronically generated license



certification or registration or, as under current law, the individual's professional license or certificate.

- Removes the per diem compensation that a member of the Physician Assistant Policy Committee receives for the discharge of official duties.

Clinical research faculty certificates

- Authorizes the Board to issue a clinical research faculty certificate to a podiatrist licensed in another jurisdiction who wishes to practice podiatric medicine and surgery incidental to teaching or research duties in Ohio.
- Requires the Board to provide a renewal notice at least one month before the expiration of any clinical research faculty certificate.

Training certificates

- Makes a training certificate to practice medicine and surgery or osteopathic medicine and surgery valid for an initial period of three years, instead of one year.

Medication-assisted treatment

- Requires a prescriber to give a patient for whom medication-assisted treatment for drug addiction is clinically appropriate (or that patient's representative) information about all drugs approved by the U.S. Food and Drug Administration (FDA) for use in medication-assisted treatment.
- Imposes referral requirements on prescribers when a patient chooses to be treated with, and meets clinical criteria for, treatment with methadone or a controlled substance containing buprenorphine and the prescriber does not meet federal requirements to prescribe those drugs.
- Requires the Medical and Nursing Boards to adopt rules establishing procedures to be followed by Board-regulated prescribers in the use of all FDA-approved drugs used in medication-assisted treatment and requires the rules to be consistent for all prescribers.
- Limits to 30 the number of patients that a prescriber who fails to comply with the bill's provisions on medication-assisted treatment may treat with medication-assisted treatment at any one time, regardless of where the prescriber practices.

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

Community addiction services

- Revises the conditions under which the Department of Mental Health and Addiction Services may issue to an ADAMHS board a waiver regarding the location of ambulatory detoxification and medication-assisted treatment.
- Requires that the waiver be time limited and specify whether it is for ambulatory detoxification, medication-assisted treatment, or both.
- Eliminates the Department's authority to issue to an ADAMHS board a time-limited waiver of a requirement that the board's community-based continuum of care include all of the essential elements required by state law.
- Gives the Department the discretion to disapprove an ADAMHS board's proposed budget in whole or in part, rather than requiring the Department to disapprove a board's proposed budget in whole, for failure to make the essential elements of a community-based continuum of care available in the board's service district.

Medication-assisted treatment drug court program

- Creates a medication-assisted drug court program to provide addiction treatment to persons who are dependent on opioids, alcohol, or both.
- Requires community addiction services providers to provide specified treatment to the participants in the program based on the individual needs of each participant.

Psychotropic drug reimbursement for county jails

- Establishes the Psychotropic Drug Reimbursement Program, through which county jails are to be reimbursed by the Department for psychotropic drugs dispensed to inmates.
- Requires the Department, based on factors it considers appropriate, to allocate an amount to each county for reimbursement of those psychotropic drug costs.

Confidentiality of quality assurance records

- Adds improving the safety and security of persons who administer medical and mental health services in Department hospitals and programs to the duties of a quality assurance program it administers, thereby making records associated with that activity confidential.



ADAMHS board contracts – dispute resolution

- Repeals a provision that authorizes an ADAMHS board, a facility, or a community addiction or mental health services provider to apply to the Director of Mental Health and Addiction Services for assistance in resolving an ADAMHS board contract dispute through a third party dispute resolution process.

Residential state supplement

- Eliminates provisions specifying the types of living arrangements in which individuals must reside in order to be eligible for the Residential State Supplement program and requires all program eligibility requirements to be established by rule.
- Eliminates provisions specifying procedures for referring applicants who may have mental health needs for an assessment by a community mental health services provider.

Former Bureau of Recovery Services

- Maintains responsibilities regarding recovery services that were given to the Department when the Bureau of Recovery Services in the Department of Rehabilitation and Correction was abolished.

Block grants for prevention and treatment of substance abuse

- Requires the Department and the Department of Medicaid to jointly serve as the designated agency for the purpose of a maintenance of effort requirement that applies to federal funds for the prevention and treatment of substance abuse and related activities.

Opioid addiction treatment website and mobile app

- Requires the Development Services Agency, the Department of Mental Health and Addiction Services, and the Ohio State University to collaborate to develop a website and mobile application that provide resources and information regarding opioid addiction treatment services.

All Roads Lead to Home

- Requires the Department to create the All Roads Lead to Home Program to provide information and assistance to individuals struggling with drug addiction.
- Mandates that the Program include (1) a media campaign conducted twice annually and (2) a public website.



- Requires the media campaign to include public service announcements that incorporate messages to reduce the stigma associated with seeking help for drug addiction and provide directions to a web-based location with information about drug addiction assistance.
- Provides that the media campaign must utilize television and radio public service announcements and Internet advertising components and be prioritized in media markets with the highest rates of drug overdose in Ohio.
- Requires the public website to include certain components, including community detoxification, withdrawal management, and treatment options; a searchable database of certified substance abuse providers; and information on recovery supports.

Data collection and sharing, agencies serving multi-system youth

- Requires the Director to establish a strategy for data collection and sharing by agencies that serve multi-system youth.
- Requires the Director to submit a report to the Governor and General Assembly on the parameters of the strategy and the cost to implement the strategy.

Updated references; clarifications

- Updates a reference to the Office of Support Services at the Department of Mental Health with a reference to the Ohio Pharmacy Services at the Department of Mental Health and Addiction Services, its current name.
- Stipulates that any reference to either the former Department of Mental Health or the former Department of Alcohol and Drug Addiction Services is to be construed as referring to the Department of Mental Health and Addiction Services.
- Clarifies provisions that authorize the Department of Mental Health and Addiction Services to issue waivers to ADAMHS boards regarding the location of the ambulatory detoxification and medication-assisted treatment services that the boards must make available.

DEPARTMENT OF NATURAL RESOURCES

Property tax valuation of oil and gas reserves

- Specifies that a discounted cash flow formula used to value certain producing oil and gas reserves for property tax purposes be the only method for valuing all oil and gas reserves.

State Park Maintenance Fund

- Creates the State Park Maintenance Fund, and requires the Department of Natural Resources to use money in the Fund only for maintenance, repair, and renovation projects at state parks that are approved by the Director of Natural Resources.
- Authorizes the Director of Natural Resources to request the Director of Budget and Management (OBM) to annually transfer cash to the State Park Maintenance Fund in an amount not exceeding 5% of the annual average revenue received by the State Park Fund.
- For FY 2018:
 - Requires, on July 1, 2017, or as soon as possible thereafter, that the Director of Natural Resources certify 5% of the average of the previous five years of deposits in the State Park Fund to OBM.
 - Authorizes OBM to transfer up to \$1.5 million from the State Park Fund to the State Park Maintenance Fund at that time.
- Prohibits the Department from using money in the Fund to construct new facilities.
- Requires the Chief of the Division of Parks and Watercraft to submit to the Director a list of projects in order to request a disbursement from the Fund.
- Requires the Chief to include with each request a description of necessary maintenance, repair, and renovation projects at state park facilities and requires the Director to determine which projects are eligible for disbursement from the Fund.
- Prohibits the Chief from beginning any project for which a request was submitted before obtaining the Director's approval.



Wildfire suppression payments

- Increases the amount annually available for wildfire suppression payments from the Department to local firefighting agencies or companies from not more than \$100,000 to not more than \$200,000.
- Eliminates the Wildfire Suppression Fund and the required annual transfer of money from the State Forest Fund to it for wildfire suppression payment purposes.
- Requires wildfire suppression payments to be made directly from the State Forest Fund.
- Replaces the Chief of the Division of Forestry with the Director of Natural Resources or the Director's designee as the state agent responsible for distributing money for wildfire suppression payments to firefighting agencies or companies.

Injection Well Review Fund

- Requires the 15% portion of permit fees collected under the injection well permit program that are currently deposited in the Injection Well Review Fund to instead be deposited in the existing Geological Mapping Fund.
- Requires the permit fees deposited in the Geological Mapping Fund to be used by specified Divisions within the Department to execute the Department's duties under the injection well permit program, which is generally consistent with their use under current law.
- Eliminates the Injection Well Review Fund.

Oil and Gas Well Fund

- Requires the OBM Director, in consultation with the Chief of the Division of Oil and Gas Resources Management, to establish an accounting code to track expenditures associated with plugging idle and orphaned wells.

Mine Regulation and Safety Fund

- Consolidates the Unreclaimed Lands Fund, the Surface Mining Fund, the Mining Regulation Fund, and the Coal Mining and Reclamation Reserve Fund into a new fund called the Mining Regulation and Safety Fund.
- Allocates all money that is credited to the consolidated Funds to the Mining Regulation and Safety Fund.



- Specifies that the purposes for and the authorized expenditures from the consolidated Funds now apply to the Mining Regulation and Safety Fund.

Severance tax allocation

- Allocates all of the money generated from the coal severance tax to the Mining Regulation and Safety Fund, rather than allocating portions to the existing Geological Mapping Fund, Coal Mining Administration and Reclamation Reserve Fund, and the Unreclaimed Lands Fund as provided in current law.
- Allocates money generated from the salt severance tax to the Mining Regulation and Safety Fund, rather than to the Geological Mapping Fund as provided in current law.
- Allocates 92.5% of the money generated from the tax on limestone, dolomite, sand, and gravel to the Mining Regulation and Safety Fund, rather than to both the Unreclaimed Lands Fund (42.5%) and the Surface Mining Fund (50%) as under current law.
- Prohibits money credited to the Mining Regulation and Safety Fund that is derived from severance taxes from the mining of limestone, dolomite, sand, or gravel from being used for coal mining and reclamation purposes.
- Allocates all of the money generated from the tax on clay, sand or conglomerate, shale, gypsum, or quartzite to the Mining Regulation and Safety Fund, rather than the Surface Mining Fund as under current law.
- Allocates all of the money generated from the tax on coal mined by surface mining methods to the Mining Regulations and Safety Fund, rather than the Unreclaimed Lands Fund as under current law.

Coal reclamation funds

- Eliminates the existing Reclamation Forfeiture Fund as a funding source from which the Chief of the Division of Mineral Resources Management may pay the costs of reclaiming land affected by surface or in-stream mining.

Dam construction filing fee and annual fee

- Removes the statutorily imposed filing fee schedule for dam construction permits, and requires the Chief of the Division of Water Resources to adopt rules establishing the fee schedule.



- Removes the statutorily imposed fee schedule for annual fees required to be submitted by owners of Class I, Class II, or Class III dams, and requires the Chief to adopt rules establishing the annual fee schedule.

Aquatic species

- Requires the Chief of the Division of Wildlife, within one year of the bill's effective date, to establish a risk assessment policy for aquatic species.
- Requires the risk assessment policy to provide for both:
 - An evaluation of overall risk of a species based on best available biological information derived from professionally accepted science and practices in fisheries or aquatic invasive species management; and
 - A determination of whether a species should be listed as an injurious aquatic invasive species.

Nonresident deer and wild turkey permits

- Increases the fees for a nonresident applicant for a deer or wild turkey permit as follows:
 - Deer permit – nonresident, ages 18-65: from \$23 to \$74;
 - Wild turkey permit – nonresident, ages 18-65: from \$23 to \$35.
- Specifies that a person on active duty in the U.S. Armed Forces, while on leave or furlough, is eligible to obtain a deer or wild turkey permit at the resident rate, regardless of whether the person is a resident of Ohio.

Hunting residency eligibility

- Removes the requirement that for a nonresident who owns real property in Ohio to hunt on the property without a hunting license, the nonresident must be a resident of a state that allows an Ohio resident to hunt without a license if the Ohioan owns real property in that state.
- Treats an individual who owns real property in Ohio and that person's spouse and children as residents for purposes of obtaining a resident deer or wild turkey permit and hunting license.

Game quadruped includes elk

- Adds elk to the list of game quadruped animals, which effectively allows the Department to regulate and manage the propagation, preservation, and protection of elk.

County liability coverage for oil and gas wells

- Authorizes a board of county commissioners of a county that is an owner of an oil and gas well to comply with oil and gas well liability coverage requirements by participating in a joint self-insurance pool in accordance with the law governing those pools.
- Allows liability insurance companies *approved* to do business in Ohio, in addition to liability insurance companies *authorized* to do business in Ohio as under current law, to provide coverage to an owner of any oil and gas well.

OHIO BOARD OF NURSING

- Eliminates, as of January 21, 2018, the requirement that the Board of Nursing's Executive Director be a registered nurse in Ohio with at least five years of experience practicing as a registered nurse.
- Permits a nurse who volunteers at a free-of-charge therapeutic camp located in Ohio and is authorized to practice nursing in another state to practice nursing at the camp without holding an Ohio license, if specified conditions are met.
- Provides that graduation from either (1) an education program that is approved by the U.S. Air Force as the Community College of the Air Force associate degree or (2) the Allied Health Program, as it existed prior to 2016, satisfies the prelicensure education requirements for licensed practical nurses.



OHIO CONSUMERS' COUNSEL

- Permits the Ohio Consumers' Counsel to assist consumers with utility complaint calls or forward the calls to the PUCO's call center.



OPPORTUNITIES FOR OHIOANS WITH DISABILITIES AGENCY

- Removes the requirement that the Opportunities for Ohioans with Disabilities Agency receive Controlling Board approval to release funds to be used for its program to provide personal care assistance for individuals with severe physical disabilities.
- Changes "person with a disability" to "eligible individual with a disability" throughout the law.
- Expands the definition of "physical or mental impairment."
- Specifies the types of activities and items for which maintenance payments may be used.
- Requires the Agency to implement an order of selection if vocational rehabilitation services cannot be provided to all eligible individuals with disabilities in Ohio who apply for services.



STATE BOARD OF PHARMACY

Terminal and wholesale distributors of dangerous drugs

Terminal distributor licensure

- Eliminates category I and limited category I terminal distributor licenses.
- Requires the State Board of Pharmacy to adopt rules specifying when a licensed terminal distributor must provide updated application documentation.

Wholesale distributor licensure

- Changes the existing registration for wholesale distributors of dangerous drugs into a license for manufacturers, outsourcing facilities, third-party logistics providers, repackagers, and wholesale distributors of dangerous drugs.
- Transfers existing requirements governing registration as a wholesale distributor to the new types of licenses and specifies that any of the license types may be issued as a category II or category III license.
- Generally specifies that a licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor may engage in the distribution of dangerous drugs, in addition to the sale of such drugs.

License renewal

- Requires license renewal to be on a schedule specified by the Board, with the effective period not to exceed 24 months unless the Board extends the period for purposes of adjusting license renewal schedules.
- Increases license fees and adjusts the fees to reflect biennial renewal.
- Prohibits a license holder that fails to renew from engaging in certain conduct related to dangerous drugs until a valid license is issued.
- Permits the Board to enter into agreements with other states, federal agencies, and other entities to exchange information concerning licensing and inspection and to investigate alleged violations.

Discipline

- Authorizes the Board to restrict or limit a license and to reprimand or place a license holder on probation.



- Authorizes the Board to impose disciplinary sanctions for additional causes, including other causes set forth in rules adopted by the Board.
- Specifies that when a hearing is required, if the licensee does not timely request a hearing in accordance with existing law, the Board is not required to hold a hearing and may adopt a final order with its findings, including any sanctions imposed.
- Specifies that the Board is not required to seal, destroy, redact, or otherwise modify its records of disciplinary proceedings notwithstanding a court's sealing of conviction records.

Summary suspension

- Authorizes the Board to suspend a license without a hearing if the Board determines there is clear and convincing evidence that the method of possessing dangerous drugs presents a danger of immediate and serious harm to others.
- Specifies that a summary license suspension is void on the 121st day, as opposed to the 91st day, after the suspension if the Board has not issued its final adjudication before that date.

Pharmacist and pharmacy intern licensure

- Adjusts the licensing renewal schedule for pharmacists and pharmacy interns from annually to a period specified by the Board that is generally not to exceed 24 months.
- Prohibits a pharmacist or pharmacy intern who fails to renew by the license renewal date from engaging in the practice of pharmacy until a valid license is issued.
- Modifies licensure and other fees charged by the Board.
- Eliminates a requirement that the Board issue, and licensed pharmacists and pharmacy interns carry, identification cards.
- Requires the Board to adopt rules defining "good moral character" for licensing purposes.

Investigative records and subpoenas

- Makes information the Board receives during an investigation of a license holder generally confidential, but allows the Board to share the information with law enforcement agencies, other professional licensing boards, and other governmental agencies.



- Authorizes the Board, when investigating alleged violations of the Pharmacists and Dangerous Drug Law, to issue subpoenas, take depositions, and examine and copy records.

Unlicensed pain management clinics

- Authorizes the Board to impose a fine for violation of pain management clinic licensure requirements when any person violates those requirements, rather than only when the violator is an otherwise licensed terminal distributor.

OARRS drug database

- Requires the Board to provide from its drug database, commonly known as the Ohio Automated Rx Reporting System or OARRS, information related to a drug court program participant if requested by a judge of a certified drug court.
- Requires the Board to provide OARRS information related to a deceased person if requested by the examining coroner.
- Requires the Board to provide a health care entity's peer review committee with OARRS information regarding a health care professional for evaluation, supervision, or disciplinary purposes.
- Authorizes the Board to provide a health care professional licensing agency with OARRS information related to a person acting as an expert witness in an investigation being conducted by the agency.
- Authorizes the Board to provide a prescriber with a summary of the prescriber's prescribing record from OARRS.
- Authorizes the Board to provide a pharmacy with a summary of the pharmacy's dispensing record from OARRS.
- Authorizes the Board to provide OARRS information to a prescriber or pharmacist without request.
- Authorizes the Board to provide to the Department of Medicaid records of requests for OARRS information made by a prescriber who treated a Medicaid recipient.
- Authorizes the Board to require a licensed terminal distributor of dangerous drugs to submit to the Board data fields recognized by the American Society for Automation in Pharmacy.

- Authorizes the Board to accept for inclusion in OARRS information from other sources, including other state agencies.
- Extends the period for which the Board must retain information in OARRS to at least five years and requires the Board to make the information accessible to authorized persons during that time.
- Authorizes the Board to retain patient identifying information in excess of five years if necessary to serve an investigatory or public health purpose.

Criminal records checks – medical marijuana

- Eliminates the requirement that the results of criminal records checks of prospective employees of entities licensed under the Medical Marijuana Control Program be reported to those entities.
- Identifies the Board and Department of Commerce as "licensing agencies," but only with respect to persons seeking employment with the Program's licensed entities.



OHIO PUBLIC DEFENDER

- Modifies the percentages of funds in the Indigent Defense Support Fund the State Public Defender may use for reimbursing county governments and for the operation of the State Public Defender Office.
- Removes the requirement that a sworn and notarized affidavit of indigency accompany the financial disclosure form for indigent defense.
- Requires the State Public Defender to reimburse county governments 50% of the expenses they incur in providing indigent defense in noncapital cases, and 100% of the expenses incurred for indigent defense in capital cases, unless the General Assembly's appropriation to the State Public Defender is insufficient to cover the counties' costs for indigent defense.



DEPARTMENT OF PUBLIC SAFETY

Public safety funds related to seizures of money

- Establishes the following new funds:
 - The Public Safety Highway Patrol Custodial Fund, consisting of all money seized during investigations or other enforcement activities of the Highway Patrol (except as otherwise provided below);
 - The Ohio Investigative Unit Contingency Fund, consisting of all money seized during investigations or other enforcement activities of the Department of Public Safety Investigative Unit prior to January 1, 2017; and
 - The Ohio Investigative Unit Custodial Fund, consisting of all money seized during investigations or other enforcement activities of the Department of Public Safety Investigative Unit on and after January 1, 2017.

Security at Riffe Center and Rhodes Tower

- Requires the Department of Public Safety to coordinate security measures and operations at the Vern Riffe Center and Rhodes Tower, and requires the Department of Administrative Services to implement security measures and operations DPS requires.

Driver's education course content

- Requires driver's education courses to include instruction on the dangers of driving while under the influence of a controlled substance, prescription medicine, or alcohol.

State Board of Emergency Medical, Fire, and Transportation Services

- Requires the Governor to appoint an additional member to the State Board of Emergency Medical, Fire, and Transportation Services who is a member of a third-service emergency medical service agency or organization.

Grants from the Drug Law Enforcement Fund

- Requires any drug task force for which a grant is awarded from the Drug Law Enforcement Fund to comply with all grant requirements, including reporting its activities through the El Paso Intelligence Center (EPIC) information technology systems.



Registration fees for vehicles subject to International Registration Plan

- Eliminates a \$30 registration fee that is charged for the in-state registration of commercial cars that are subject to the International Registration Plan (IRP) and an \$11 registration fee that is charged for the in-state registration of commercial buses that are subject to the IRP.
- Exempts commercial cars and buses that are subject to the IRP from the local motor vehicle registration taxes (which are up to \$25 per taxing district).
- Increases the base rates charged for the registration of a commercial car or bus that is subject to the IRP and equalizes those rates so that the base rates charged to vehicles registered in Ohio and vehicles that are registered outside of Ohio but that are subject to taxation in Ohio under the IRP are the same.
- Eliminates a provision of the transportation budget act (H.B. 26) that establishes a pilot program in six counties that reduces the \$30 registration fee for certain commercial motor vehicles.

Personal delivery devices

- Authorizes the use of an electrically powered personal delivery device (PDD) on sidewalks and crosswalks by certain eligible entities (a corporation, partnership, association, firm, sole proprietorship, or other entity engaged in business), so long as the following requirements are met:
 - The PDD is operated in accordance with local regulations, if any;
 - An operator is actively controlling or monitoring the navigation and operation of the PDD;
 - The eligible entity maintains a minimum \$100,000 insurance policy for the operation of the PDD;
 - The PDD is equipped with (a) a marker that clearly identifies the name and contact information of the entity operating it and a unique identification number, (b) a braking system that enables it to come to a controlled stop, and (c) if the PDD is being operated between sunset and sunrise, a light on both the front and rear that is visible in clear weather from a distance of at least 500 feet to the front and rear of the PDD when directly in front of a motor vehicle's low-beam headlights;
 - The PDD is intended primarily to transport property on sidewalks and crosswalks;



- It weighs less than 90 pounds, excluding any property the device is carrying;
- It has a maximum speed of 10 miles per hour; and
- It is equipped with technology that enables the operation of the device with active control or monitoring by a person, without active control or monitoring by a person, or both with or without active control or monitoring by a person.
- Requires PDD operators to comply with safety provisions established by the bill, including prohibiting operation of a PDD on a street or highway except when crossing within a crosswalk.
- Requires a PDD to yield the right-of-way to pedestrians on sidewalks and crosswalks, but grants a PDD all other rights and obligations that apply to pedestrians.
- Specifies that an eligible entity is responsible for both:
 - Any violation under the bill that is committed by a PDD operator; and
 - Any other circumstance, including a technological malfunction, in which a PDD operates in a manner prohibited by the bill's safety provisions.
- Excludes a PDD from the definition of "vehicle" under the Motor Vehicle Law, thus exempting a PDD from general requirements and prohibitions that apply to vehicles.

PUBLIC UTILITIES COMMISSION

Commission Chairperson

- Prohibits the Chairperson of the Public Utilities Commission (PUCO) from being a member of the Governor's cabinet.

Power Siting Board law

- Includes as a "major utility facility" an electric transmission line and associated facilities with a design capacity of 100 kilovolts or more (125 kilovolts or more is the current requirement).
- Eliminates the two-year initial operation period during which the Ohio Environmental Protection Agency (OEPA) monitors and enforces compliance by newly certificated electric generating major utility facilities with OEPA law.
- Eliminates from the Power Siting Board law those provisions stating that a major utility facility (1) is under OEPA continuing jurisdiction and (2) must comply with all laws, rules, and standards regarding air and water pollution and solid and hazardous waste disposal laws.
- Limits a public agency or political subdivision from requiring approval, consent, a permit, a certificate, or any other condition for the operation of a major utility facility or an economically significant wind farm (under current law the limit is imposed only on initial operation).

Transportation of hazardous materials

- Requires a person to file an annual registration statement with, and pay an annual registration fee to, the U.S. Department of Transportation in order to transport hazardous waste in Ohio, rather than requiring such persons to obtain a uniform permit from PUCO.
- Eliminates the uniform registration and permitting of the transportation of hazardous materials by PUCO.
- Eliminates the requirement that PUCO use a system for determining forfeitures that may be imposed on transporters of hazardous material or hazardous waste that is comparable to the recommendations of the Commercial Vehicle Safety Alliance.



Transportation of household goods

- Eliminates several requirements with which PUCO must comply when setting the application fees for a certificate for the transportation of household goods.

Lifeline telephone service

- Eliminates the requirements that lifeline service be touch-tone, flat-rate, and for a primary line.
- Reconciles the eligibility for lifeline service provision that is based on household income to federal rules, effectively lowering the income threshold from 150% of the federal poverty level to 135%.
- Reduces from 60 days to 30 the time a customer has, after receiving a lifeline service termination notice, to submit documentation of continued eligibility or to dispute the termination.
- Specifies that an incumbent local exchange carrier that is an eligible telecommunications carrier must implement lifeline telephone service consistent with federal law instead of the current law requirement to implement it "throughout the carrier's traditional service area for its eligible residential customers."

Wind farm setbacks

- Alters the minimum setback for wind turbines of wind farms with generating capacity of five megawatts or more by changing the two horizontal distances used to calculate the setback requirement, as follows:
 - Makes the distance requirement from the turbine's base to the wind farm property line equal to 1.2 times the total turbine height to its highest blade (current law is 1.1 times); and
 - Measures the 1,225-foot distance requirement from the tip of the turbine's nearest blade at 90° to the exterior of the nearest, habitable residential structure, if any, located on adjacent property (current law measures the distance to the property line of the nearest adjacent property).
- Makes a windfarm to which the bill's new setback applies subject to the current law setback described above (established in 2014 by H.B. 483 of the 130th General Assembly) if the existing certificate is later amended.
- Specifies that any owner or owners of a property may only waive application of the setback for the owner's or owners' property.



Small hydroelectric facility

- Classifies the power from a small hydroelectric facility, which is a facility that operates, or is rated to operate, at an aggregate capacity of less than six megawatts, as a renewable energy resource under the competitive retail electric service law.
- Specifies that a small hydroelectric facility is a qualified energy resource for purposes of the renewable energy resource mandates and thus is eligible for renewable energy credits.

Electric distribution utility rate adjustments

- Permits PUCO to consider an electric distribution utility's (EDU's) credit rating when testing its electric security plan (ESP) for whether the plan is more favorable in the aggregate than a market rate offer (MRO).
- Permits PUCO to establish or upwardly adjust the rates that an EDU may charge under an ESP so that the EDU may achieve and maintain a minimum credit rating that is at least an investment grade credit rating.
- Authorizes PUCO to set a target credit rating and determine its form and duration.
- Specifies that such rate adjustments are not transition charges, which were charges that were permitted only during the now expired market development period of the competitive retail electric service law.

OHIO STATE RACING COMMISSION

- Modifies the distribution of certain moneys paid to the Tax Commissioner by horse racing permit holders in order to correct an error.



DEPARTMENT OF REHABILITATION AND CORRECTION

Community-based facility reporting

- Requires specified community-based correctional facilities to file an annual financial report, rather than the Department of Rehabilitation and Correction (DRC) filing quarterly financial reports, to the State Auditor.

Location of imprisonment for felony

- Provides, subject to several exemptions, that a person sentenced in a target county or voluntary county to a prison term of 12 months or less for a fifth degree felony (a short-term fifth degree felony prison term) may not serve the term in an institution under the control of DRC.
- Specifies the types of local correctional facilities where the person will serve that prison term.
- Lists the state's ten most populous counties and specifies that they are "target counties" and specifies that any counties in which specified county officials agree to have the county participate in the local confinement provisions are "voluntary counties."
- Allows county officials who have agreed to make their county a voluntary county to terminate the agreement, but provides that a termination takes effect only at the end of the state fiscal biennium in which the termination decision is made.

Memorandum of understanding – local confinement

- Requires counties, either separately or jointly, and municipal corporations in the counties in specified circumstances, to submit to DRC a memorandum of understanding that specifies plans for using T-CAP program grant money and reimbursing local correctional facilities for certain offenders.
- Specifies the procedure for determining the *per diem* cost of housing offenders sentenced to a short-term fifth degree felony prison term in local correctional facilities.

Community-based treatment eligibility

- Changes the "prior convictions" that disqualify a prisoner from eligibility for the community-based substance abuse disorder treatment program from "any offense of violence" to "any felony offense of violence" or "any misdemeanor offense of violence within the preceding five years."



Judicial release application

- Reduces the time that an eligible offender confined under a prison term of less than two years must serve before applying for judicial release.

Community corrections subsidies

- Revises the priorities for use of community corrections subsidies provided by DRC to eligible political subdivisions.

Probation improvement, incentive grants

- Specifies what must be included in DRC rules regarding the distribution of the Probation Improvement Grant.
- Requires that the costs savings estimate calculated by DRC be based on the average of such commitments from the five calendar years preceding the calendar year in which the grant application was made and the fiscal year under examination.
- Adds community-based correctional facilities to the list of probation departments eligible for probation improvement grants and probation incentive grants.
- Imposes the same requirements for community-based correctional facilities to receive the grants that apply to common pleas, municipal, and county court probation departments.

Certificates of qualification for employment

- Permits an out-of-state resident with an Ohio conviction record to apply for a certificate of qualification for employment (CQE) through the court of common pleas in any county where a conviction was entered against the person.
- Permits DRC to develop criteria that would allow an individual to apply for a CQE earlier than otherwise.
- Removes the requirement that a CQE applicant list the specific collateral sanctions from which the individual is seeking relief, and instead requires the applicant to provide a general statement as to why the individual has applied and how the CQE would assist the individual.
- Provides that a CQE creates a rebuttable presumption that the person's criminal convictions are insufficient evidence that the person is unfit for employment or a professional license.



- Directs DRC to maintain a database that identifies granted and revoked CQEs and the jobs and types of employers to which the CQEs have been most applicable, and requires DRC to annually create a publicly available report summarizing the information maintained in the database.
- Requires DRC to review its database of certificates issued to identify those that are subject to revocation, and to note in the database that the CQE has been revoked, the reason for revocation, and the effective date of the revocation.

Earned credit

- Provides an incarcerated person with 90 days of earned credit toward satisfaction of the person's prison term upon successful completion of an Ohio high school diploma or certified Ohio certificate of high school equivalence, a therapeutic drug community program, all three phases of DRC's intensive outpatient drug treatment program, a career technical vocational school program, a college certification program, or the criteria for a certificate of achievement and employability.
- Specifies that the earned credit described above is available for any imprisoned person, regardless of the offenses for which the person is imprisoned.

Prison term as community control violation sanction

- Specifies that a prison sanction for a technical violation of the conditions of a community control sanction imposed for a fifth degree felony, or for a violation of law committed while under a community control sanction imposed for such a felony that consists of a new criminal offense and that is not a felony, may not exceed 90 days.

Warden's report to parole board

- Requires the warden of an institution in which a person eligible for parole is incarcerated to submit a report on the prisoner to the parole board prior to any hearing to determine whether or not that prisoner should be paroled.

Notice to sheriff of felony offender release

- Requires the Adult Parole Authority (APA) to notify the sheriff of the county in which the offender was convicted and the sheriff of the county in which the offender will reside of the offender's release or transfer under a specified time frame.
- Requires the APA to provide notice to the sheriff at least 60 days before recommending a pardon or commutation for an offender or at least 60 days before an APA hearing regarding parole.



Former Ohio River Valley Juvenile Correctional Facility (ORVF)

- Provides that if the Lawrence County sheriff is using a portion of the ORVF as a jail pursuant to a contract under existing law, and if either party has failed to comply with the contractual terms, on the provision's effective date, control of that portion of the ORVF reverts to the state and the sheriff cannot use it as a jail.
- Authorizes the use of the ORVF or a portion of it as a multicounty, municipal-county, or multicounty-municipal correctional center under specified circumstances.

Division of Business Administration

- Allows the Division of Business Administration within DRC to use excess funds in the Property Receipts Fund for specified purposes if, after meeting the required expenditure obligations, the Division determines that the Fund has excess funds.



SECRETARY OF STATE

Uncontested primary races

- Specifies that an uncontested race in a primary election must not appear on the ballot and that the candidate or candidates who have filed to run automatically receive certificates of nomination.
- Requires the race to remain on the ballot if the ballots have already been prepared and a primary election is still to be held for the party, but specifies that any votes cast in that race are void and requires the board of elections to notify voters of that fact.
- Specifies that, if a primary candidate in an uncontested race dies, withdraws, or is disqualified before the tenth day before the primary election, the political party may select a new candidate to fill the ballot vacancy.
- Specifies that, if a primary candidate in an uncontested race dies, withdraws, or is disqualified on or after the tenth day before the primary, the candidate is considered to have received the nomination, and the party may fill the ballot vacancy for the general election.
- Eliminates the requirement that the state hold a special primary election to replace a party's candidate for Congress if the special primary is uncontested.

Voting equipment

- Amends the law governing the certification of voting equipment to include equipment that allows a person to vote using an electronic display and then transfers those votes onto an optical scan ballot or other paper record for tabulation.
- Specifies that voting equipment of that type is not considered a direct recording electronic voting machine (DRE) for purposes of that law.
- Removes references to punch card ballots from that law.

Address confidentiality program

- Modifies the address confidentiality program operated by the Secretary of State to serve victims of certain crimes.
- Requires an applicant for the program to live, work, or attend a school or institution of higher education in Ohio.



- Requires the application form to include a statement that the application assistant recommends that the applicant participate in the program.
- Requires the Secretary to issue each program participant a program authorization card with the participant's program mailing address.
- Allows, but does not require, a participant to provide that card to a governmental entity, employer, school, or institution of higher education as proof of the person's status.
- Narrows the types of mail that the Secretary must forward to a program participant and requires the Secretary to notify participants of the qualifying types of mail.
- Clarifies the voter registration deadlines that apply to program participants.



OHIO COMMISSION ON SERVICE AND VOLUNTEERISM

- Reduces the Ohio Commission on Service and Volunteerism from 21 to 19 members by eliminating the specification that the chairpersons of the House and Senate committees that deal with education are members of the Commission.



DEPARTMENT OF TAXATION

Income taxes

- Eliminates the bottom two income tax brackets applicable to individual nonbusiness income and, correspondingly, repeals the low-income taxpayer credit.
- Specifies that a pass-through entity (PTE) owner who is paid wages or guaranteed payments by a professional employer organization hired by the PTE may claim the business income deduction and apply the 3% flat tax rate with respect to such income, provided the owner owns at least 20% of the PTE.
- Prescribes the manner in which school district income tax applies to a school district resulting from the consolidation of territory of two or more districts.
- Allows businesses, other than sole proprietors, to elect for the Department of Taxation to administer the business' municipal income taxes, beginning in 2018.
- Requires 99% of the revenue collected from such businesses to be distributed monthly to municipal corporations, with the other 1% earmarked for administrative expenses.
- Repeals the "throw-back rule" used in determining what amount of a business' income is apportioned to a particular municipal corporation, beginning in 2018.
- Decreases, from three to one, the number of municipal tax administrator representatives that the Governor may appoint to the Ohio Business Gateway Steering Committee.
- Permits the penalty imposed on employers that do not timely remit municipal income tax withholdings to be less than 50% of the unpaid amount.
- Extends, by one month, the due date by which municipal income taxpayers that are individuals must make their fourth-quarter estimated tax payment, beginning in 2018.
- Requires that the Office of Budget and Management separately state in its reports of actual and estimated revenues the total tax liability, before credits, arising from business income versus nonbusiness income and to state the total amount of claimed income tax credits.



- Requires the Department of Taxation to study the feasibility of accepting municipal income tax returns through the existing joint federal/state Modernized e-File (MeF) program.
- Eliminates reimbursement to the Department for the cost of administering the six income tax refund contribution check-offs.
- Reduces the Tax Commissioner's role in distributing revenue derived from the Ohio political party fund income tax check-off.
- Increases the maximum income tax deduction for contributions to a federally tax-advantaged college savings plan or disability expense savings account to \$4,000 (from \$2,000) annually for each beneficiary.
- Creates the Joint Committee on Ohio College Affordability to study and develop strategies to reduce the cost of attending colleges and universities in Ohio.

Sales and use taxes

- Provides two payments, one in 2017 and one in January 2018, to counties and transit authorities to mitigate their short-term revenue loss resulting from the termination of all sales taxes on health care services provided by Medicaid health insuring corporations under contracts with the state.
- Allows counties and transit authorities to increase their local sales and use tax rates in increments of 0.01%, rather than 0.25%, beginning July 1, 2018.
- Exempts prescription optical aids (e.g., eyeglasses and contact lenses) and their components from sales and use tax beginning July 1, 2019.
- Exempts from sales and use taxation digital music purchased from, and electronically delivered by a jukebox or other single-play commercial music machine.
- Provides a three-day sales tax "holiday" in August 2018 during which sales of clothing, school supplies, and instructional materials within certain price ranges are exempt from sales and use taxes.
- Modifies the standard for determining when the sales and use tax applies to business-related electronic services that are provided together with other services.
- Allows revenue raised by an existing county sales tax for community improvements and granted to a school district to be spent outside the county as long as the improvements are within the school district.

- Prescribes the manner by which county auditors issue sales tax vendor's licenses.
- Requires certain sales and use tax information to be published on the Department's website.
- Allows reinstatement of a vendor's sales tax license that was suspended for the vendor's repeated failure to report or pay sales tax only if the vendor reports and remits not only delinquent sales taxes, but delinquent income tax required to be withheld from its employees' wages.
- Authorizes the Tax Commissioner to suspend a vendor's sales tax license for the vendor's repeated failure to report or pay its employees' income tax withholdings.
- Modifies rules for situsing sales and use tax for direct mail – i.e., for determining the proper taxing jurisdiction for material that is mass mailed to predetermined recipients.
- Allows new and used motor vehicle dealers licensed in Ohio to remit the sales tax collected on vehicle sales directly to the state on the dealer's monthly return rather than to the Clerk of the Court of Common Pleas along with the application for a certificate of title.
- Requires the Director of Budget and Management to remit the Clerk's poundage fee to the appropriate county Certificate of Title Administration Fund upon collecting the tax.

Lodging taxes

- Authorizes a charter county (Summit) to extend an expiring 1% lodging tax for an additional ten years.
- Authorizes a county with a population between 375,000 and 400,000 and that currently levies a 3% lodging tax (currently, Stark) to increase the rate of the tax by up to an additional 3%.
- Authorizes a county with a population between 190,000 and 200,000 and that currently levies a 3% lodging tax (Clermont) to increase the rate of the tax by up to an additional 1% to construct and maintain a professional sports facility, subject to certain conditions.
- Authorizes a city that currently levies a 3% municipal lodging tax and that is located in a county with a population between 300,000 and 350,000 that currently levies a 3% county lodging tax (Lorain County) to increase the municipal lodging tax rate by up to an additional 3%.



- Authorizes a county with a population between 175,000 and 225,000 that levied a lodging tax rate of 3% in 2014 and that has an amusement park with annual attendance of more than two million (Warren) to use the tax revenue to pay the construction and maintenance costs of a port authority-owned sports facility.

Severance tax

- Replaces a severance tax exemption for resources used to improve the severer's homestead with an exemption for natural gas produced by an "exempt domestic well," but continues to subject the owners of most such wells to a \$60 annual fee.
- Transfers severance tax permitting responsibilities from the Department of Taxation to the Department of Natural Resources (DNR).
- Adjusts the due dates of severance tax returns.
- Requires severance tax revenue to be credited to funds on a monthly, rather than quarterly, basis.
- Limits the authority of DNR to disclose severance tax information received by the Tax Commissioner.

Excise taxes

- Requires that cigarette tax returns be filed monthly instead of semiannually.
- Places a ceiling on the amount of excise tax on "premium cigars" of 50¢ per cigar (adjusted annually for inflation).
- Authorizes an exemption from the kilowatt-hour tax for electricity consumed in a chlor-alkali manufacturing process unless the electricity is distributed by a municipal electric company that does not consent to the exemption.
- Clarifies the deadline by which a person newly subject to the petroleum activity tax must apply for a supplier's license and stipulates an annual expiration date for all such licenses.

Property taxation

- Prescribes in statute certain additional factors that must be considered in computing the current agricultural use value (CAUV) of agricultural land for property tax purposes, and deletes reference to one existing factor.



- Prescribes in statute that the method used to compute CAUV values must employ a capitalization rate and prescribes certain factors that must be included or excluded in the calculation of the rate.
- Places a ceiling on the taxable value of CAUV land if the land is also used for conservation purposes by requiring the land to be valued as though it included soil of the least productive type.
- Applies CAUV formula changes to each county in the next tax year in which the county undergoes a reappraisal or triennial update, beginning with counties undergoing a reappraisal or update in tax year 2017.
- Requires the Tax Commissioner to publish an annual report of CAUV values that can be sorted by county and by school district.
- Authorizes a county to propose, as a single ballot question, a bond levy for the acquisition or improvement of a criminal justice facility (e.g., a detention facility, courthouse, or sheriff's office) and either or both of the following: a levy for related improvements not financed by the bonds, and an operating levy for the expenses associated with running the facility and other criminal justice services.
- Authorizes a property tax exemption for retail stores operated by a charitable nonprofit housing organization that sells primarily donated household items.
- Removes the authority to bypass a Court of Appeals by appealing a decision of the Board of Tax Appeals directly to the Ohio Supreme Court; all appeals from BTA decisions would have to be made to a Court of Appeals (except for decisions on the BTA's small claims docket, which are conclusive and not appealable).
- Revises the procedure for appealing a county board of revision's determination on an application for remission of property tax or manufactured home tax penalties.
- Requires that exemption applications for state university property be approved or disapproved by the Tax Commissioner rather than the county auditor.
- Extends, by 18 months, the deadline by which manufactured and mobile homeowners may apply for the homestead exemption, from June of the year before the tax year for which the exemption is sought, to December 31 of the tax year.
- Removes a requirement that a taxing authority receive approval from a court of common pleas before transferring revenue between certain funds of the subdivision.

- Authorizes, under certain circumstances, extension of a community reinvestment area (CRA) property tax exemption without requiring the CRA to conform to various requirements and limitations enacted in 1994.
- Extends the deadline by which a county or municipality must petition for the Director of Development Services to approve its designation of a community reinvestment area.
- Revises the schedule for the fees exacted from taxes collected by county treasurers.
- Requires a resolution proposing to levy a property tax to include additional details on the scope and nature of the levy.
- Eliminates several superfluous provisions in current law pertaining to the property tax exemption for burial grounds.

Tax credits and exemptions

- Requires that every main biennial budget bill include detailed estimates of the state revenue that will be foregone due to certain "business incentive" tax credits in the current biennium and future biennia.
- Allows employers that apply for a job creation tax credit (JCTC) to count compensation paid to certain "work-from-home" employees for the purposes of qualifying and complying with the terms of the JCTC agreement.
- Makes several changes to Ohio's motion picture tax credit.
- Modifies the \$10 million annual cap on the New Markets Tax Credit to be a limit on the amount of credits that may be approved per year, rather than a limit on the amount of credits that taxpayers may claim each year.
- Authorizes local governments to enter into an enterprise zone agreement with a business after October 15, 2017.
- Increases from five to six the number of years that some operators of computer data centers have to meet the capital investment requirement associated with an existing sales and use tax exemption.
- Extends by two years a provision temporarily authorizing owners of a historic rehabilitation tax credit certificate to claim the credit against the CAT if the owner cannot claim the credit against another tax.

- Provides that, when a taxpayer holds a tax credit certificate demonstrating the taxpayer's eligibility for a tax credit, the taxpayer must automatically submit the certificate to the Tax Commissioner when claiming the credit, rather than providing the certificate only on the Commissioner's request.
- Modifies the crediting and use of fees charged by the Development Services Agency (DSA) to administer certain tax incentive programs.
- Authorizes \$60 million in nonrefundable tax credits for insurance companies and financial institutions that invest in special purpose "rural and high-growth industry funds" that are certified by DSA and make loans to or investments in certain Ohio businesses.
- Specifies that the credit equals the amount of the investor's "credit-eligible capital contribution" and is spread evenly over a four-year period beginning three years after the date of the contribution.
- Requires that 50% of a fund's loans and investments be made in rural businesses and 50% be made in businesses engaged in certain specified "high-growth industries."
- Stipulates investment benchmarks, reporting requirements, and limited credit recapture provisions.

Tax administration

- Authorizes a temporary "amnesty" for taxpayers owing certain delinquent taxes whereby penalties and one-half the interest charges otherwise due are waived, along with criminal or civil action, if the taxpayer pays the outstanding liability and one-half the interest due.
- Distributes amnesty collections in the same way as the underlying tax, except distributes revenue in excess of \$18 million that otherwise would be credited to the GRF to the Budget Stabilization Fund.
- Generally authorizes the Department of Taxation, the Treasurer of State, and certain county officials to deny or revoke a license if certain prohibited acts are performed in relation to an application to approve or renew the license.
- Specifies that, before approving a retail tire dealer or wholesale tire distributor registration, motor fuel dealer license, or tobacco product distributor license, the Tax Commissioner must confirm that the applicant is not delinquent in paying any tax administered by the Commissioner.

- Requires that, in addition to delinquent sales and income withholding taxes, the Commissioner must notify the Division of Liquor Control when a liquor permit holder is delinquent in paying most other types of state taxes.
- Specifically authorizes the Department to disclose such information to the Division of Liquor Control.
- Transfers from the Treasurer of State to the Tax Commissioner the collection and refund responsibilities for the public utility excise tax.
- Reduces the percentage of commercial activity tax (CAT) revenue devoted to offset the Department of Taxation's administrative expenses from 0.85% to 0.75% beginning July 1, 2017.
- Allocates all revenue from fees paid to have various pollution control or energy conversion facilities certified for property tax and sales and use tax exemptions to the appropriate state oversight agency – either EPA or DSA.
- Applies a \$1 minimum payment and refund floor for fees administered by the Tax Commissioner.
- Clarifies that underpayments of sales tax-related charges accrue statutory interest until remedied or assessed.
- Reduces from two to one the number of times each year that county auditors and treasurers are required to distribute estate tax revenue.
- Makes a technical correction to a statute that requires the Tax Commissioner to electronically publish information related to the motor fuel tax.

Local Government Fund and other revenue distributions

- Makes permanent a monthly \$1 million set-aside of Local Government Fund (LGF) funds for villages with a population of less than 1,000 and for townships.
- Sets the Public Library Fund's share of GRF revenue at 1.68% for the FY 2018-2019 biennium after the temporarily higher percentage of 1.70% in the FY 2016-2017 biennium.
- Increases the share of commercial activity tax revenue credited to the General Revenue Fund and decreases the share allocated to reimburse school districts and other local taxing units for the loss of tangible personal property taxes.



- Withholds LGF payments to the city of Columbus if it imposes certain conditions or requires certain payments before extending water and sewer service extraterritorially or withdraws or threatens to withdraw such service for the failure to meet such conditions or make such payments.
- Reduces Local Government Fund (LGF) payments to the city of Columbus if it does not timely publish a plan to cease charging, or actually charges, different sewer and water rates to residents and nonresidents.
- Modifies the phase-out of payments that school districts receive as reimbursement for their loss of tangible personal property (TPP) tax revenue, including by slowing the rate of reduction after FY 2019 from $\frac{5}{8}$ -mill to $\frac{1}{4}$ -mill worth of property taxes per year.

Special taxing districts

- Modifies the requirements to create a tourism development district (TDD).
- Requires subdivisions to use lodging tax revenues collected from a hotel located in a TDD to foster and develop tourism in the TDD.
- Changes a reporting date relative to businesses subject to a gross receipts tax levied in a TDD.
- Authorizes a county and other political subdivisions and private parties to enter into cooperative agreements to fund the construction and maintenance of certain permanent improvements located in a TDD designated by a municipal corporation.
- Specifically authorizes an LED sign to be located within a TDD next to an interstate highway, provided the sign meets all state and federal standards.
- Allows municipal corporations to pledge their income tax revenue and counties and transit authorities to pledge their sales tax revenue for Regional Transportation Improvement Projects (RTIPs).
- Limits the duration of an RTIP to 15 years or, if the governing board is authorized to issue securities, 20 years after the first such issuance.
- Creates a default requirement that unencumbered funds held by the governing board on the date an RTIP is dissolved are distributed proportionally to the state and to each political subdivision that contributed revenue to the RTIP.

- Authorizes counties participating in an RTIP to create a Transportation Financing District (TFD) that generates revenue by exempting improvements to nonresidential parcels from property taxation and collecting in-lieu service payments.



DEPARTMENT OF TRANSPORTATION

Rest areas

- Prohibits the Director of Transportation from closing any rest area that is located along a scenic byway.

Repeal date for towing exemption

- Fixes a technical error in the transportation budget act (H.B. 26), in which a section pertaining to size and weight exceptions for towing vehicles is erroneously scheduled for repeal one year after the act's effective date, when it should have been scheduled for repeal two years after that date.

Urbana University signs

- Requires ODOT to design and erect signs along I-70 at the exit ramps for State Route 68 in Clark County and State Route 29 in Madison County that indicate the existence and location of Urbana University in Urbana.

Ohio Maritime Assistance Program

- Creates the Ohio Maritime Assistance Program, to be administered by ODOT.
- Permits certain municipal corporations and port authorities to apply to ODOT for grants to construct new marine cargo terminals or to improve existing marine cargo terminals located on the shores of Lake Erie or the Ohio River or on a Lake Erie tributary.
- Specifies the eligibility criteria for applicants, including:
 - The degree to which a proposed project will increase the efficiency or capacity of maritime cargo terminal operations;
 - Whether a project will result in the handling of new types of cargo or an increase in cargo volume; and
 - Whether a project will meet an identified supply chain need or benefit Ohio firms that export goods to foreign markets, or import goods to Ohio for use in manufacturing or for value-added distribution.
- Specifies the uses of grant awards, particularly regarding acquisition, construction, and repair work.



- Requires the grant recipient to provide a match not to exceed \$1 for each \$1 in state grant funding received for the proposed project.



TREASURER OF STATE

Credit unions as public depositories

- Creates the Business Linked Deposit Program under which the Treasurer of State may purchase share certificates issued by credit unions to facilitate lending to eligible small businesses.
- Permits credit unions to participate in the existing Agricultural Linked Deposit Program.
- Requires the Treasurer to adopt rules addressing the participation of credit unions in these linked deposit programs, including the manner in which the linked deposits are placed, held, and collateralized.

Ohio Pooled Collateral Program

- Authorizes the Treasurer to impose reasonable fees upon public depositories participating in the Ohio Pooled Collateral Program to defray the costs of the Program.
- Specifies that certain information obtained or created about a public depository for purposes of the Program is confidential.
- Permits the Treasurer to adopt rules necessary for the implementation of the Program in connection with the other methods by which public depositories provide security for the repayment of public deposits.

Separately managed and pooled accounts

- Permits the Treasurer of State to invest money held in the Ohio Subdivision Fund also in separately managed accounts, and pooled accounts of that Fund, rather than just in the Treasurer's investment pool, as under current law.
- Requires a treasurer, governing board, or investing authority of a subdivision to have an agreement with the Treasurer of State in order to invest subdivision public money in the separately managed account or pooled account of the Ohio Subdivision Fund.
- Prohibits subdivision public money investment in a pooled account of the Ohio Subdivision Fund that does not maintain the highest rating if no agreement has been entered into with the State Treasurer.



- Provides that the current law 25% investment limit on debt interests other than commercial paper does not apply to investments of subdivision excess reserves under the agreement.
- Relieves the Treasurer and the Treasurer's bonders or surety for the loss of any state or subdivision interim moneys invested as the bill provides if the loss is due to (1) a public depository failure or (2) an investment made pursuant to law.
- Requires the Treasurer of State to adopt rules to implement the separately managed account and pooled account requirements.



DEPARTMENT OF VETERANS SERVICES

- Authorizes the Department of Veterans Services to establish a physician recruitment program.
- Allows the Ohio Veterans' Home to conduct bingo games at the facility for residents of the home, provided the players are over 18, the bingo operators are not compensated for operating bingo, players do not pay an entry fee, prizes do not exceed \$100 per prize or \$500 total for all prizes during a game, the game is not conducted within ten hours of a charitable bingo game, scheme of chance or game of chance, or instant bingo, and the games are conducted on different days and not more than twice a week.



CONSOLIDATION OF HEALTH-RELATED BOARDS

Creation of new boards via consolidation

- Creates the State Vision Professionals Board and the State Speech and Hearing Professionals Board by consolidating several existing health professional licensing boards.
- Establishes regulatory procedures for the new boards that are similar to current law's provisions that apply to the boards abolished under the bill.
- Requires the new boards to establish a code of ethical practice for each occupation it regulates, and authorizes each board to take disciplinary action against an applicant or license holder for violating a code of ethics, which applies under current law to most of the occupations.

Regulation of dietitians; respiratory care therapists; orthotists, prosthetists, and pedorthists

- Places the regulation of dietitians under the State Medical Board and abolishes the Ohio Board of Dietetics.
- Abolishes the Ohio Respiratory Care Board and places its duties with respect to respiratory care therapists with the State Medical Board and its duties with respect to home medical equipment service providers with the State Board of Pharmacy.
- Abolishes the State Board of Orthotics, Prosthetics, and Pedorthics and places its duties with the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board.
- Requires the State Medical Board to appoint a dietetics advisory council and a respiratory care advisory council to advise the Board on issues relating to the practice of dietetics and respiratory care.
- Requires the State Board of Pharmacy to appoint a home medical equipment services advisory council to advise the Board on issues relating to providing home medical equipment services.
- Requires the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board to appoint an orthotics, prosthetics, and pedorthics advisory council to advise the Board on the regulation of the practice of orthotics, prosthetics, and pedorthics.



Existing licenses and employees

- Provides that employees of the abolished boards are transferred to one of the new boards, the State Medical Board, the Occupational Therapy, Physical Therapy, and Athletic Trainers Board, or the State Board of Pharmacy, and retain their positions and benefits.
- Allows the boards abolished by the bill to establish a retirement incentive plan for eligible employees of those boards who are Public Employees Retirement System members.

Other changes

- Requires license applicants for all occupations regulated by the new boards to undergo criminal records checks to receive a license.
- Generally provides for electronic occupational license applications and renewals.

LOCAL GOVERNMENT

County auditor financial report filing

- Increases, from 90 to 150, the number of days after the close of the fiscal year within which a county auditor must prepare a financial report of the county for the preceding fiscal year.

Board of county commissioners deadline to organize

- Modifies the date by which a board of county commissioners annually must organize.

Township road construction estimates

- Eliminates the requirement that, when advertising a bid for a road improvement project, a board of township trustees provide notice of the estimate of the project cost.
- Specifies that a board is not required to provide notice of the estimate or amended estimate when the board readvertises for bids if the original bidding process did not yield a bid within 110% of the estimate.

Transient vendors in township territory

- Authorizes boards of township trustees to prohibit transient vendors from soliciting at any residence at which the owner or tenant has either posted a no solicitation sign, or has filed a no solicitation registration form with the township.
- Eliminates the board's authority to outright prohibit transient vendors from soliciting within the township's unincorporated territory.
- Revises the definition of "transient vendor."

Commercial advertising on township websites

- Authorizes townships to sell commercial advertising space on their websites under certain conditions.

Village dissolution

- Allows the electors of a village to petition the board of elections, as an alternative to the legislative authority, for the dissolution of the village.



- Decreases, from 40% to 30%, the portion of electors in a village that is sufficient to petition the legislative authority or board of elections for the dissolution of the village.
- Provides for the timely transfer of village property and services upon the dissolution of the village.
- Allows the village and affected townships to enter into agreements concerning the transfer of real and personal property other than electric, water and sewer utility property, or the property vests by law in the affected townships.
- Requires the Auditor of State to perform and complete an audit or agreed-upon procedure audit before transferring any cash balances to a township or utility service provider following the village dissolution.
- Specifies that the surrender of corporate powers by a village does not affect the village's power to operate utilities.
- Specifies that a dissolving village may incur liability to the extent it is necessary in connection with the operations of the village's utilities.
- Requires water and sewer utility property to be transferred by agreement entered into by the village and the entity that will be taking over the provision of utility services.
- Requires a dissolving village to take all necessary steps to transfer the ownership and operation of electric utilities to a successor entity.
- Requires a dissolving village's electric utility to continue "normal operations and activities," to continue fulfilling the village's contractual obligations, and to collect charges at rates in effect on the date a certificate of dissolution was filed.

Local annual reports to Auditor of State

- Eliminates the Auditor of State as an entity to which a municipality and a board of alcohol, drug addiction, and mental health services must provide a copy of their annual reports.

Cybersecurity training for local fiscal officers

- Adds cybersecurity to the list of subjects to be covered in the education programs conducted by the Auditor of State and the Treasurer of State for persons elected to local government fiscal offices.



Metropolitan housing authorities

- Permits two or more metropolitan housing authorities (MHAs) to enter into a shared services agreement.
- Clarifies that MHA plans to improve blighted areas can include housing as well as other projects, and those projects can include commercial and residential purposes.
- Prohibits an MHA from providing a federal rent subsidy to a tenant who does not meet federal HUD income restrictions, instead of requiring the MHA to deny housing to the tenant.

Regional councils of governments

- Authorizes a regional council of governments to contract to administer and coordinate the self-funded health benefits program of a nonprofit corporation if the council has an educational service center as its fiscal agent.

Reimbursement to law enforcement agencies

- Authorizes a court to order an OVI offender to reimburse a law enforcement agency for costs associated with administering blood or urine tests if the tests indicated a prohibited concentration of a controlled substance.

Commissary profits for screening equipment

- Allows the sheriff of a county jail to use profits from the jail's commissary to purchase technology designed to prevent contraband from entering the jail.

Multi-jurisdictional correctional centers

- Specifies that a multi-jurisdictional local correctional center's operational standards and procedures may be amended by agreement of a majority of the voting members of the center's corrections commission or by other means specified in the contract establishing the center.
- Clarifies that items required for the standards and procedures are also required for the amendments.

Foreclosure and auctioning

- Expressly permits deposits to be made by a financial transaction device if the foreclosure sale is held online.



- Requires the purchaser at a foreclosure sale to submit a statement indicating intent to use the property as residential rental property, instead of a statement indicating whether the purchaser will occupy the property.
- Expands who can be the contact person for a business entity for the purposes of providing this information.
- Exempts the purchaser at a foreclosure sale from the requirement of submitting contact information if the purchaser is the plaintiff or a lienholder who is a party to the foreclosure action.

Urban renewal projects

- Adds environmental remediation as a purpose for which a municipal corporation can undertake an urban renewal project to prevent the spread of blight.
- Adds contamination by hazardous substances or petroleum to the definition of "blight," for purposes of the urban renewal projects laws.
- Permits parties to a development agreement (an agreement to rehabilitate the real property structures in an urban redevelopment area) to agree to a level of service payments, in lieu of property taxes, that is higher than the amount that would be generated by the assessed value of the improvements.
- Adds to the definition of "revenue," for purposes of the urban renewal projects laws, revenue available to the municipal corporation pursuant to a development agreement.

Volunteer peace officers

- Specifies that a retired member of the Public Employees Retirement System is not a volunteer peace officer under the Volunteer Peace Officers' Dependents Fund.

Municipal planning commissions

- Authorizes the appointment of some "public members," who may be nonresidents of the municipal corporation, to serve on a municipal planning commission.
- Requires these nonresident public members to reside within the county in which the municipal corporation is located or in a township adjacent to the county.
- Retains the requirement for the "citizen members" to be residents of the municipal corporation.

- Specifies that all members are subject to the current prohibition against public officials having an unlawful interest in a public contract.

Noncharter village disbursements

- Requires two signatures for noncharter village fund disbursements, by order signed by the treasurer, clerk-treasurer, or fiscal officer, depending on which officer the village has, and by at least one member of the village's legislative authority.

Funds disbursed to municipal treasurers

- Requires that the county auditor disburse to a municipal treasurer taxes and assessments certified to the county auditor by a municipality and placed on the tax list for collection, and moneys accruing to and debts due the municipality, on the order of any person authorized by law or ordinance to issue orders therefor.

Investment of county inactive moneys

- With respect to the investment of a county's inactive moneys and money in the public library fund, revises the current restriction on investments in certain commercial paper notes and bankers acceptances by increasing, from 25% to 40%, the amount of a county's total average portfolio that can be used for those investments.

Storage of firearm in private motor vehicles

- Creates a civil cause of action against a business entity, property owner, or employer whose policy prohibits a valid concealed handgun licensee from transporting or storing a firearm or ammunition in the person's privately owned motor vehicle in accordance with law.

MISCELLANEOUS

SERS cost-of-living adjustments

- Makes current law's mandatory annual cost-of-living adjustment (COLA) of 3% granted to School Employees Retirement System (SERS) retirement allowance, disability benefit, and survivor benefit recipients effective until December 31, 2017.
- Beginning January 1, 2018, permits, rather than requires, the SERS Board to grant an annual COLA and if the Board grants a COLA, changes the amount to the percentage increase in the Consumer Price Index, if any, not exceeding 2.5%.
- Authorizes the SERS Board, before granting an increase, to adjust the COLA percentage if the Board's actuary determines, in its annual actuarial valuation or in other evaluations, that an adjustment does not materially impair the retirement system's fiscal integrity or is necessary to preserve its fiscal integrity.

Food policy coordinator in Ashtabula County

- Requires the county OSU Extension office serving Ashtabula County to establish a pilot program through which it employs a food policy coordinator who will be responsible for connecting local food producers with local consumers.

Land conveyances

- Authorizes the conveyance of state-owned land under the jurisdiction of the University of Cincinnati to the Cincinnati Center City Development Corporation through a real estate purchase agreement.
- Authorizes the conveyance of state-owned land under the jurisdiction of the University of Akron through a sale process acceptable to the university's Board of Trustees.
- Authorizes the conveyance of state-owned land in Lorain and Warren counties under the jurisdiction of the Department of Rehabilitation and Correction, through a real estate purchase agreement, sealed bid auction, or public auction.
- Authorizes the conveyance for \$1 of the Department of Developmental Disabilities' Youngstown Developmental Center property to the Mahoning County Mental Health and Recovery Board, or to an alternate purchaser.



Sunset Review Law

- Authorizes the continuation of the ABLE Account Program Advisory Board until December 31, 2020.
- Authorizes the continuation of the Underground Technical Committee, an advisory board to the Public Utilities Commission, until December 31, 2020.
- Authorizes the continuation of the Ohio Healthier Buckeye Advisory Council, a council in the Department of Job and Family Services, until December 31, 2020.



BILL ADMINISTRATION

Effective dates

- Includes a default provision stating that, except as otherwise specifically provided, the amendment, enactment, or repeal of a section is subject to the referendum and takes effect on the 91st day after the act is filed with the Secretary of State (barring the filing of a referendum petition).
- Includes many exceptions to the default provision, some of which provide that specified provisions are not subject to the referendum and go into immediate effect.

Expiration clause

- Includes an expiration clause stating that an item that composes the whole or part of an uncodified section contained in the bill (other than an amending, enacting, or repealing clause) has no effect after June 30, 2019, unless its context clearly indicates otherwise.

Treatment of sections subject to multiple amendments

- With respect to R.C. sections appearing in more than one place in the bill, restates the policy of Ohio law that all amendments to a statute are to be given effect if it is reasonably possible to do so.

HISTORY

ACTION	DATE
Introduced	02-08-17
Reported, H. Finance	05-02-17
Passed House (58-37)	05-03-17
Reported, S. Finance	06-21-17
Passed Senate (24-8)	06-21-17

H0049-PS-132.docx/ks:er

