

Executive

As Passed By House

PUCCD1 Percentage of Income Payment Plan (PIPP) program

R.C. 4928.54, 4928.543, 4928.544, Repealed: 4928.542

Transfers the authority to aggregate Percentage of Income Payment Plan (PIPP) program customers for the purpose of a competitive procurement process for the supply of retail electric service for these customers from the DEV Director to PUCO and make this authority permissive instead of mandatory as under current law.

Requires PUCO to inform the DEV Director if PUCO decides to aggregate PIPP program customers and requires that to be done as soon as possible after the decision is made for the director's consideration of possible universal service rider adjustments allowed under ongoing law.

Specifies that the design for the competitive procurement process may include full or partial auctions of PIPP program customers to the extent necessary to transition these customers to the applicable standard service offer (SSO) for retail electric service.

Repeals the law requiring winning bids selected under a competitive procurement process that aggregates PIPP program customers to (1) be designed to provide reliable competitive retail electric service to PIPP customers, (2) reduce PIPP program costs relative to the otherwise applicable SSO, and (3) result in the best value for persons paying the universal service rider.

Fiscal effect: Potential increase in costs for PUCO and potential decrease in costs for DEV, both likely minimal. Costs for both agencies for this purpose are reimbursed by the Universal Service Fund Rider, paid by electric consumers. Potential minimal change in costs of electricity for the state and local governments as ratepayers.

R.C. 4928.54, 4928.543, 4928.544, Repealed: 4928.542

Same as the Executive.

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Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

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PUCCD7 Electric vehicle charging stations

No provision.

R.C. 4934.11, 4934.01, 4934.03, 4934.05, 4934.08, 4934.14

Defines "electric vehicle (EV)," "direct current fast charging station," "electric vehicle charging provider," "electric vehicle charging station," "level two charging station," and "make-ready infrastructure" for the purposes of state regulation by PUCO.

No provision.

Allows an electric distribution utility (EDU) or electric cooperative to recover the costs of make-ready infrastructure (i.e., electrical infrastructure required to accommodate the EV charging station's electrical load) through the EDU's or cooperative's rates and charges so long as the subsidy is offered to EV charging providers on a nondiscriminatory basis.

No provision.

Prohibits an EDU from: (1) owning or operating publicly available EV charging stations except through a separate affiliate or subsidiary that is not subject to PUCO jurisdiction, (2) charging a subsidized rate, fee, or charge for electric service distributed to the affiliate's or subsidiary's EV charging stations, (3) directly or indirectly subsidizing investments in the ownership or operation of EV charging stations with revenues from providing electric distribution service.

No provision.

Prohibits an electric cooperative from including, in the rates it charges, any EV charging station costs, or any costs, unrelated to the provision of electric service. Requires an electric cooperative that owns or operates publicly available EV charging stations to maintain separate books and records of its EV charging station service.

No provision.

Requires an EDU affiliate or subsidiary, or a cooperative, that owns or operates an EV charging station to be subject to the same rates, terms, and conditions that apply to EV charging providers in the EDU's or cooperative's service territory. Permits an EDU and electric cooperative to use an EV charging station on its own premises for the sole purpose of serving its own EVs.

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Fiscal effect: No direct fiscal effect on state agencies or local governments. May increase charges to electric ratepayers (inclusive of public sector customers), if EDUs or electric cooperatives implement rates and charges to recover costs incurred for their provision of make-ready infrastructure in support of EV charging stations.

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As Passed By House

DEVCD29 All Ohio Future Fund

R.C. 126.62, Section 259.30

Renames the Investing in Ohio Fund to the All Ohio Future Fund (Fund 5XM0) and expands the economic development purposes of the fund including to support the following activities: (A) projects to prepare sites for economic development by supporting necessary infrastructure improvements, wetland mitigation measures, and other one-time site enhancements; (B) efforts to attract new business, workforce, and residents to Ohio; and (C) efforts to expand and advance business, workforce, and community and economic development opportunities across Ohio.

Authorizes the OBM Director to transfer cash to Fund 5XM0 from the following sources, under specified circumstances: (1) the Oil and Gas Well Fund (Fund 5180); and (2) a portion or all of any deferred payments paid to the state under the JobsOhio liquor franchise agreement.

Allows the Controlling Board to exceed the limit on spending federal and nonfederal revenue to increase appropriation to Fund 5XM0, provided there is a sufficient balance in the fund to support the increase.

Requires the Controlling Board to release monies from Fund 5XM0 before they may be spent.

No provision.

No provision.

R.C. 126.62, 131.50 (repealed), 155.33, 155.37 (repealed), 4928.85 to 4928.89

Same as the Executive, but removes the list of activities and specifies the fund can be used for (1) electric infrastructure development approved by PUCO, and (2) electric infrastructure improvements made by electric cooperatives and municipal electric utilities.

No provision.

Same as the Executive.

Same as the Executive.

Requires DEV to adopt rules, in consultation with JobsOhio and local and regional economic development organizations, that establish requirements and procedures to provide financial assistance from Fund 5XM0 to eligible economic development projects.

Requires the criteria adopted in rules for site selection include a means to identify and designate economic development projects into the following economic development tiers: (A) megaprojects as tier one projects, (B) megaproject supplier projects as tier two projects, and (C) projects in an industrial park or a site that is zoned industrial as tier three projects.

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No provision.

Permits utilities (i.e. electric distribution utilities) to apply to PUCO for approval of infrastructure development for economic development projects after the utility first requests a reimbursement from Fund 5XM0.

No provision.

Establishes several requirements for what must be included in an infrastructure development application and allows PUCO to approve an application if the infrastructure development is necessary to support or enable a state or local economic development project.

No provision.

Permits JobsOhio to provide PUCO with a recommendation regarding the infrastructure development application's approval or denial.

Fiscal effect: Increases revenue deposited into Fund 5XM0. The executive budget also transfers up to \$2.4 billion from the FY 2023 GRF ending balance to Fund 5XM0 (see OBMCD38).

Fiscal effect: Same as the Executive, but decreases the potential revenue increase. The transfer from the FY 2023 GRF ending balance to Fund 5XM0 is \$500.0 million (see OBMCD38).

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As Passed By House

GOVCD3 Electronic notification, meeting, and data storage law changes

R.C. 127.15, 173.03, 753.19, 1121.38, 1509.06, 1513.071, 1513.08, 1513.16, 1565.12, 1571.05, 1571.08, 1571.10, 1571.14, 1571.15, 1571.16, 1707.02, 1707.04, 1707.042, 1707.091, 1707.11, 1707.43, 1733.16, 2941.401, 3111.23, 3301.05, 3302.04, 3310.521, 3313.41, 3313.818, 3314.21, 3319.081, 3319.11, 3319.16, 3319.291, 3319.311, 3321.13, 3321.21, 3704.03, 3734.02, 3734.021, 3734.575, 3746.09, 3752.11, 3772.031, 3772.04, 3772.11, 3772.12, 3772.13, 3772.131, 3781.08, 3781.11, 3781.25, 3781.29, 3781.342, 3904.08, 4121.19, 4123.512, 4123.52, 4125.03, 4141.09, 4141.47, 4167.10, 4301.17, 4301.30, 4303.24, 4507.081, 4508.021, 4509.101, 4510.03, 4510.41, 4735.13, 4735.14, 5107.161, 5120.14, 5165.193, 5165.86, 5166.303, 5168.08, 5168.22, 5168.23, 5525.01, 5703.37, 5709.83, 5736.041, 5751.40, 1509.031, 3745.019, Repealed: R.C. 5123.195

Implements a 2020 initiative of the Common Sense Initiative to make changes throughout the Revised Code to partly reflect the advancements in technology related to notifications, meetings, data storage, and certain other government functions. (For more detailed analysis of these changes, please see the Electronic Notification and Meetings section (pages 311-338) of the LSC Bill Analysis for H.B. 33.)

Makes specific changes, including removal of obsolete provisions, to facilitate the use of electronic communications, including websites, in the daily operations for the following entities: CAC, COM, DODD, ODE, Ohio EPA, INS, ODJFS, ODPS, PUCO, TAX, ODOT, and ODWIS.

Modifies the type of communication media through which a required notice of events or services may be made by generally adding the option of electronic, including email, delivery or mail delivery by a commercial/common carrier and removing the outdated telegraph method for the following entities: CEB, CAC, COM, ODE, Ohio EPA, ODJFS, ODM, ODNR, PUCO, DRC, ODWIS, and municipalities.

R.C. 127.15, 173.03, 753.19, 1121.38, 1509.06, 1513.071, 1513.08, 1513.16, 1565.12, 1571.05, 1571.08, 1571.10, 1571.14, 1571.15, 1571.16, 1707.02, 1707.04, 1707.042, 1707.091, 1707.11, 1707.43, 1733.16, 2941.401, 3111.23, 3301.05, 3302.04, 3310.521, 3313.41, 3313.818, 3314.21, 3319.081, 3319.11, 3319.16, 3319.291, 3319.311, 3321.13, 3321.21, 3704.03, 3734.02, 3734.021, 3734.575, 3746.09, 3752.11, 3772.031, 3772.04, 3772.11, 3772.12, 3772.13, 3772.131, 3781.08, 3781.11, 3781.25, 3781.29, 3781.342, 3904.08, 4121.19, 4123.512, 4123.52, 4125.03, 4141.09, 4141.47, 4167.10, 4301.17, 4301.30, 4303.24, 4507.081, 4508.021, 4509.101, 4510.03, 4510.41, 4735.13, 4735.14, 5107.161, 5120.14, 5165.193, 5165.86, 5166.303, 5168.08, 5168.22, 5168.23, 5525.01, 5703.37, 5709.83, 5736.041, 5751.40, 1509.031, 3745.019, Repealed: R.C. 5123.195

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Permits meeting via electronic means, instead of in-person meetings, on specified matters provided that the meetings still allow for interactive public attendance for the following entities: Ohio Advisory Council for the Aging, Internet- or computer-based community schools, school districts or other public schools, ODPS-Register of Motor Vehicles, counties, townships, and municipalities.

Same as the Executive.

Permits or requires the establishment of electronic means of submission for such services as licensure, approvals, and other by the following entities: ODNR’s Division of Oil and Gas Resources Management, school districts, ODE, solid waste management districts, and courts of record.

Same as the Executive.

Modifies or removes references related to creating or retaining stenographic records of certain proceedings for the following entities: COM, ODNR, ODE, school districts, Ohio EPA, and ODWIS.

Same as the Executive.

Fiscal effect: TAX has estimated savings of approximately \$3.4 million per year for the agency. Ohio EPA has estimated annual savings of over \$750,000. Other affected state agencies will also likely realize some administrative cost savings as will affected local governments.

Fiscal effect: Same as the Executive.

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Property Taxes and Transfer Fees

TAXCD43 Qualified energy projects

No provision.

R.C. 5727.75

Extends the termination of the existing property tax exemption for qualified energy projects from 2025 to the later of the calendar year that the U.S. Secretary of the Treasury determines there has been, from 2022, a 75% or greater reduction in annual greenhouse gas emissions from electricity production in the United States, or 2032. Extends application and construction deadlines for new tax credits in line with the extended credit termination date.

No provision.

Requires clean energy projects with a capacity of at least 20 megawatts, and which apply for certification as qualified clean energy projects after the effective date, to comply with certain federal wage and apprenticeship requirements.

No provision.

Reduces the required ratio of Ohio-domiciled full-time equivalent employees on a new qualified clean energy project from 80% to 70%. Includes out-of-state workers who reside within 50 miles of Ohio and are members of certain labor organizations as "Ohio-domiciled" employees for purposes of calculating these ratios, both for new and existing projects.

No provision.

Allows existing qualified clean energy projects that voluntarily comply with the federal wage and apprenticeship requirements the amendment requires of new projects with at least 20 megawatts of capacity to apply the reduced ratio for Ohio-domiciled full-time equivalent employees.

No provision.

Changes the calculation of "full-time equivalent employee" hours to include only employee hours devoted to site preparation and protection, construction and installation, and material unloading and distribution and to exclude management and purely logistical positions.

No provision.

Defines "Internal Revenue Code," for purposes of the property tax exemption for qualified energy projects, as the Internal Revenue Code as it exists on the provision's 90-day effective date.

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Fiscal effect: No direct effect on state expenditures; permissive effect on local revenues as the local Board of County Commissioners has discretion over the approval of this property tax exemption.
