

## Appropriations

### Am. H.B. 51

*(For details of fiscal provisions of the act, see the LSC Budget in Detail, As Enacted (with FY 2015 Actual Expenditures); the LSC Comparison Document, As Enacted; and the LSC Greenbook, all of which are available online at [www.lsc.ohio.gov/fiscal/bwc-oic-131/bwc-oic-131.htm](http://www.lsc.ohio.gov/fiscal/bwc-oic-131/bwc-oic-131.htm))*

**Reps.** Hackett, Amstutz, Anielski, Antonio, Baker, Barnes, Bishoff, Blessing, Boose, Brown, Buchy, Burkley, Cupp, Derickson, Dever, Dovilla, Green, Grossman, Hall, Hambley, Henne, Kraus, Maag, McClain, Perales, Reineke, Retherford, Romanchuk, Schaffer, Sears, R. Smith, Terhar, Thompson, Rosenberger

**Sens.** Manning, Bacon, Hottinger, Uecker, Balderson, Eklund, Patton, Seitz, Thomas

**Effective date:** June 30, 2015; certain provisions effective September 29, 2015

- Eliminates the ability of the Industrial Commission to enter into personal service contracts with attorneys to serve as temporary district or staff hearing officers during a hearing spike.
- Eliminates the requirement that the Industrial Commission prepare a monthly report regarding the use of temporary district or staff hearing officers under personal service contracts.
- Makes appropriations for the Industrial Commission for the biennium beginning July 1, 2015, and ending June 30, 2017.

### Am. Sub. H.B. 52

*(For details of fiscal provisions of the act, see the LSC Budget in Detail, As Enacted (with FY 2015 Actual Expenditures); the LSC Comparison Document, As Enacted; and the LSC Greenbook, all of which are available online at [www.lsc.ohio.gov/fiscal/bwc-oic-131/bwc-oic-131.htm](http://www.lsc.ohio.gov/fiscal/bwc-oic-131/bwc-oic-131.htm))*

**Reps.** Hackett, Amstutz, Anielski, Baker, Barnes, Bishoff, Blessing, Boose, Boyd, Brown, Buchy, Burkley, Conditt, Cupp, Derickson, Dever, Dovilla, Duffey, Grossman, Henne, Kraus, McClain, S. O'Brien, Perales, Reineke, Retherford, Romanchuk, Schaffer, Sears, R. Smith, Sprague, Terhar, Thompson, Rosenberger

**Sens.** Manning, Bacon, Hottinger, Uecker, Patton

**Effective date:** June 30, 2015; certain provisions effective September 29, 2015; certain provisions effective other than those dates

## **Coverage and benefits**

- Exempts volunteer corporate officers who work for a nonprofit corporation from coverage under Ohio's Workers' Compensation Law and prohibits them from electing coverage.
- Requires individuals who under continuing law may elect to be covered under the Law to make that election in accordance with rules adopted by the Administrator of Workers' Compensation with the advice and consent of the Bureau of Workers' Compensation (BWC) Board of Directors.
- Allows for a mentally or physically incapacitated dependent to continue receiving workers' compensation death benefits while employed in a sheltered workshop if the dependent earns \$2,000 or less in a calendar quarter.
- Allows temporary total disability compensation to be paid without an offset for supplemental sick leave benefits provided by an employer if the employer and employee mutually agree in writing.

## **Self-insuring employers**

- Allows a self-insuring employer to furnish rehabilitation services directly to injured employees without prior approval from BWC.
- Requires a self-insuring employer to furnish or pay directly for various compensation and benefits that, under prior law, could temporarily be paid for from the Surplus Fund Account.

## **Appeals**

- Adds to the notice that the Administrator must provide to an employer, upon appeal of an Industrial Commission order, that the results of the appeal may result in a recovery against an employer who is a noncomplying employer.
- Requires appeals of BWC decisions regarding participation in the Health Partnership Program to be filed in the Franklin County Court of Common Pleas.
- Allows an employer to request the Administrator to waive a hearing on an employer's appeal of an adverse adjudicating committee decision.
- Requires the Administrator to decide whether to grant or deny a request to waive a hearing.

## **Administration**

- Changes recommendation and reporting requirements of the Workers' Compensation Audit Committee and the Workers' Compensation Actuarial Committee.

- Allows the Administrator, with the Board's advice and consent, to employ occupational safety and health professionals and support staff in the Division of Safety and Hygiene.
- Allows the Administrator to designate more than six positions in the unclassified civil service in the Division if continuing law requirements for those designations are satisfied.
- Removes the requirement that the Administrator make those civil service designations only with the Board's advice and consent.
- Allows the Administrator to transfer investment earnings to fund the Disabled Workers' Relief Fund for claims occurring before January 1, 1987, rather than assessing private and public taxing district employers.
- Eliminates the Long-term Care Loan Fund Program and Fund.
- Requires the Administrator to study BWC operations and issue a report detailing how BWC's aggregate appropriations for FY 2016 and FY 2017 may be reduced by 5%.

### **Health services cost estimates**

- Requires medical services providers, beginning in 2017, to provide a good-faith estimate of specified charges for all nonemergency services.
- Establishes, under the Office of Health Transformation, the Health Services Price Disclosure Study Committee, and requires it to study the impact and feasibility of requiring health services providers to provide cost estimates.
- Requires the Medicaid Director to adopt rules to carry out this requirement based on the Study Committee's recommendations.

### **Appropriations**

- Makes appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2015, and ending June 30, 2017.

## **Sub. H.B. 53**

*(For details of fiscal provisions of the act, see the LSC Budget in Detail, As Enacted (with FY 2015 Actual Expenditures); LSC Comparison Document, As Enacted; and LSC Greenbooks, all of which are available online at [www.lsc.ohio.gov/fiscal/transportation/transbudget131.htm](http://www.lsc.ohio.gov/fiscal/transportation/transbudget131.htm))*

**Reps.** Grossman, R. Smith, Cera, Sears, Scherer, Green, Perales, Burkley, Sprague, Amstutz, Anielski, Baker, Barnes, Blessing, Boose, Brenner, Brown, Buchy, Celebrezze, Conditt, Derickson, Dever, DeVitis, Dovilla, Driehaus, Duffey, Gerberry, Ginter, Hackett, Hambley,

Henne, Hill, Huffman, T. Johnson, Koehler, Kraus, Kunze, Maag, Manning, McClain, S. O'Brien, Pelanda, Phillips, Reineke, Rezabek, Rogers, Ruhl, Ryan, Slesnick, Strahorn, Terhar, Thompson, Young, Rosenberger

**Sens.** Manning, Balderson, Beagle, Burke, Eklund, Hite, Hottinger, Hughes, Jones, LaRose, Lehner, Oelslager, Patton, Peterson, Uecker

**Effective date:** July 1, 2015; certain appropriations-related provisions effective April 1, 2015; certain provisions effective on other dates; contains item vetoes

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## DEPARTMENT OF PUBLIC SAFETY

### Commercial driver's licenses (CDLs)

- Modifies the requirements applicable to CDL skills test examiners who are not employed by the Department of Public Safety or the Highway Patrol as follows:
  - Requires criminal background checks;
  - Requires test examiners to maintain a bond as determined by the Director of Public Safety sufficient to pay retesting costs in the event they are involved in fraudulent testing;
  - Requires test examiners to pass a training course and be certified by the state;
  - Requires test examiners to use designated test routes;
  - Requires test examiners to submit a schedule of skills test appointments to the Director not later than two business days prior to each test;
  - Requires that certain records be available at the principal place of business;
  - Prohibits a driver training school examiner from testing an applicant whom the examiner trained;
  - Requires test examiners to conduct complete skills tests on a minimum of 32 different individuals per calendar year.
- Modifies the circumstances in which the Director of Public Safety may authorize a waiver of CDL skills test.
- Establishes interstate reciprocity for CDL skills testing.
- Generally requires the Registrar of Motor Vehicles to provide conviction and disqualification records to state and federal officials.
- Requires a minimum of 14 days between issuance of a CDL temporary instruction permit and eligibility for taking a skills test.
- Revises the endorsements and restrictions for CDL holders and establishes endorsements and restrictions for CDL permits.
- Prohibits employers from knowingly permitting or authorizing a driver to either:

--Operate a commercial motor vehicle without a CDL bearing the proper class or endorsement for the vehicle; or

--Operate a commercial motor vehicle in violation of any restrictions on the driver's CDL.

- Prohibits any person under age 21 who possesses a CDL or CDL permit from operating a commercial motor vehicle in interstate commerce.
- Specifies that only a medical examiner who is listed on the national registry of certified medical examiners established by the Federal Motor Carrier Safety Administration may perform a physical examination for a CDL application.
- Generally establishes a gross vehicle weight standard for operating commercial motor vehicles and combination vehicles, in addition to a gross vehicle weight rating, and in so doing allows enforcement of commercial motor vehicle laws based on actual vehicle weight.
- Specifies that the laws allowing for the sealing of a record of a criminal conviction do not apply to convictions for violations of the CDL Law.
- Specifies that a provision of continuing law, which allows a record of driver's license and motor-vehicle related offenses to be sealed if records of all other convictions that resulted from the same act are eligible to be sealed, does not apply to the holder of a CDL or CDL permit.
- Includes specified out-of-state traffic violations and a violation of any state or local law prohibiting using a handheld mobile telephone in the definition of a "serious traffic offense."

### **License, registration for new residents (PARTIALLY VETOED)**

- Requires that within 30 days of becoming a resident of Ohio, a person must:
  - Surrender any driver's license issued by another state to the Registrar of Motor Vehicles or a deputy registrar;
  - If the person intends to operate a motor vehicle, apply for an Ohio driver's license; and
  - If the person owns a motor vehicle operated or driven upon the public roads or highways, register the vehicle in Ohio.
- Specifies that failure to take the above actions, as applicable, within 30 days of becoming an Ohio resident is a strict liability offense and is punishable as a minor misdemeanor.

- Specifies that if a person fails to apply for an Ohio driver's license or register a motor vehicle as specified above, the person is not permitted to operate any motor vehicle in Ohio.
- Specifies that "resident" means any person who either:
  - Maintains the principal residence in Ohio and does not reside in Ohio as a result of the person's active service in the U.S. armed forces; or
  - Is determined by the Registrar of Motor Vehicles to be a resident in accordance with standards adopted by the Registrar.
- Would have specified that "resident" also means any person who:
  - Has registered to vote in Ohio (VETOED); or
  - States the person's address, for purposes of federal or state income taxes, as being in Ohio (VETOED).

### **Abbreviated driver training for adults**

- Requires the Director of Public Safety to adopt rules governing an abbreviated driver training course for adults.
- Requires any applicant for an initial driver's license who is 18 or older and who failed the road or maneuverability test to complete the abbreviated driver training course prior to re-attempting the test .

### **Probationary driver's license holders**

- Generally prohibits the holder of a probationary driver's license who has held the license for less than 12 months from operating a motor vehicle between midnight and 6 a.m. unless accompanied by a parent or guardian.
- Generally prohibits the holder of a probationary driver's license who has held the license for 12 months or longer from operating a motor vehicle between 1 a.m. and 5 a.m. unless accompanied by a parent or guardian.
- Authorizes a probationary driver's license holder to operate a motor vehicle during the restricted hours to travel to or from an official school sponsored event or an official religious event with an appropriate official's written permission.
- Prohibits the holder of a probationary driver's license who has held the license for less than 12 months from operating a motor vehicle with more than one person who is not a family member occupying the vehicle unless accompanied by a parent, guardian, or custodian.
- Provides that if a person who is issued a probationary driver's license prior to age 17 pleads guilty to a moving violation within six months after the license's issuance, the

court may order the person to be accompanied by a parent or guardian when operating a motor vehicle for a specified period.

- Provides that if a person is subject to the restriction specified above, the court may grant the person driving privileges during the period of the restriction.

### **Driver training schools**

- Creates a 180-day probationary driver training instructor license for persons who obtain their initial instructor license, and requires persons who obtain the probationary license to pass an assessment to be issued a driver training instructor license.
- Permits the Director of Public Safety, in certain circumstances, to suspend a driver training instructor license or a driver training school license, and provides for an opportunity for a hearing regarding the suspension.
- Permits the Attorney General, a county prosecuting attorney, or a city law director, upon complaint of the Director of Public Safety, to bring an action against any person who violates any Revised Code provision governing driver training schools or any applicable rule.

### **BMV payments via financial transaction devices**

- Requires the Registrar of Motor Vehicles to establish a program permitting payment by means of a financial transaction device (credit or debit card) of specified BMV taxes and fees not later than July 1, 2016.
- Permits payment to be made by credit or debit card when the transaction is completed in person or by electronic means but not by mail, but allows a person renewing a registration by mail to pay via the BMV's toll-free telephone number.
- Requires rules establishing the program to require deputy registrars to accept payments by means of a credit or debit card beginning on the effective date of the rules, unless a deputy registrar's contract prohibits acceptance of such payments.
- Requires all deputy registrar contracts entered into beginning July 1, 2016, to require the deputy registrar to accept payment by credit or debit card.
- Specifies that deputy registrars are not required to pay any costs that result from accepting payment by a credit or debit card.
- Permits a deputy registrar to charge a person who pays with a credit or debit card the cost the deputy registrar incurs from accepting the payment, but prohibits the deputy registrar from requiring the person to pay any additional fee in connection with the card's use.



- Requires a county auditor or clerk of a court of common pleas that is designated a deputy registrar to accept payment by a credit or debit card for all specified deputy registrar transactions.

### **Towing regulations**

- Eliminates a requirement that any towing service that removes a motor vehicle from an accident scene provide an estimate for the price of removal.
- Except for tows ordered by a law enforcement officer or tows from a private tow-away zone, requires a towing service to provide a written estimate for the price of removal, and limits the fees that may be charged if the service fails to provide an estimate.
- Specifies that a person may present a motor vehicle lease agreement or certificate of registration for purposes of retrieving a towed vehicle or personal items from a towed vehicle.

### **Keep right except to pass**

- Requires the Department of Transportation to include sign R4-16 from the federal Manual on Uniform Traffic Control Devices that states "KEEP RIGHT EXCEPT TO PASS" in the Department's Manual for a Uniform System of Traffic Control Devices.
- Requires the Director of Transportation to erect "KEEP RIGHT EXCEPT TO PASS" signs along interstate freeways that consists of at least three lanes.

### **Parking in an access aisle**

- Prohibits stopping, standing, or parking a motor vehicle in an access aisle, which is an area marked by diagonal stripes adjacent to a handicap parking space, and establishes a fine of \$250 - \$500 for a violation.

### **Cab-enclosed motorcycles**

- Advances the effective date of the cab-enclosed motorcycle provisions of S.B. 114 of the 129th General Assembly from January 1, 2017, to July 1, 2015, including provisions governing the amount of the registration tax and an operator exemption from the state helmet and protective eye device requirements.
- Exempts a person who has a valid driver's or commercial driver's license from the motorcycle operator's endorsement requirement when operating a cab-enclosed motorcycle.
- Exempts passengers in a cab-enclosed motorcycle from state helmet and protective eye device requirements.



## **Motor vehicle dealers and salespersons**

- Provides that a commercial transaction involving the sale or lease by a new motor vehicle dealer of a used heavy duty vehicle is deemed to have taken place at the dealer's established place of business if the sale or lease is negotiated and the documents are executed at the customer's business location.
- Requires a motor vehicle dealer or motor vehicle leasing dealer to keep a current list of the dealer's licensed salespersons, showing specified information, and to make the list available upon request, rather than requiring the list to be posted in a conspicuous place at their place of business as under prior law.
- Requires a motor vehicle salesperson to keep the salesperson's license or a certified copy of the license at their place of business, rather than requiring the salesperson to carry the license or copy as required under prior law.

## **Registration and licenses**

- Changes the penalty for failure to register a motor vehicle and pay the registration tax from a fourth degree misdemeanor to a minor misdemeanor.
- Requires the Registrar of Motor Vehicles to adopt rules establishing a prorated fee schedule for duplicate driver's licenses.
- Increases from 30 to 45 days the period that a temporary license placard or windshield sticker is valid.
- Specifies that when the Registrar issues a temporary license placard due to an extreme hardship encountered by a person attempting to comply with the registration laws, the placard is valid for 30 days.
- Specifies that a permanent trailer or semitrailer registration is nontransferable, rather than any multi-year trailer or semitrailer registration as under prior law.

## **Grants – automated title processing**

- Requires the Automated Title Processing Board to determine, with the approval of the Director of Public Safety, the award of grant funds to the clerk of courts of any county who employs a person who assists with the automated title processing system.

## **Changes to fund allocations**

- Requires a \$3 portion of each fee collected from the sale of lists containing driver's license, motor vehicle registration, and title information that were previously credited to five separate funds to be credited instead to the State Bureau of Motor Vehicles Fund.
- Eliminates the Homeland Security Fund and the Investigations Fund.

- Requires the revenue from civil penalties imposed under the Private Investigator/Security Service Law to be deposited into the Private Investigator and Security Guard Provider Fund.
- Requires all investment earnings of the Unidentified Public Safety Receipts Fund to be credited not to that fund as in prior law but instead to the State Bureau of Motor Vehicles Fund.
- Requires certain commercial motor vehicle registration taxes that previously were deposited into the Highway Operating Fund and the Highway Obligations Bond Retirement Fund to be deposited instead into the State Highway Safety Fund.
- Eliminates the Law Enforcement Reimbursement Fund and the Financial Responsibility Compliance Fund, and requires all fees previously deposited into them to be deposited instead into the State Bureau of Motor Vehicles Fund.
- Eliminates the MARCS (multi-agency radio communications system) Operations Fund.
- Eliminates the Highway Obligations Bond Retirement Fund and eliminates obsolete related language.
- Removes coordinating homeland security activities as one of the purposes for which money in the Security, Investigations, and Policing Fund may be used.

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## DEPARTMENT OF TRANSPORTATION

### Metrics for strategic transportation planning

- Requires ODOT, in order to assist in statewide strategic transportation planning, to develop metrics that allow comparison of data across transportation modes and incorporate the full spectrum of state strategic transportation goals.

### State rail safety oversight

- Requires ODOT to administer the federal Public Transportation Safety Program requirements that apply to rail fixed guideway systems.
- Requires ODOT, in overseeing the safety practices of rail fixed guideway systems, to take certain actions, including:
  - Enforcing the correction of identified hazardous conditions and plans to minimize, control, correct, or eliminate those hazardous conditions in a timely manner agreed upon within corrective action plans; and

--Approving or disapproving, overseeing, and enforcing the development, updating, and implementation of each transit agency's public transportation safety plan.

### **Joint Legislative Task Force**

- Creates the Joint Legislative Task Force on Department of Transportation (ODOT) Issues.
- Requires the Task Force to study methods for increasing the speed on, and access to, rural highways and freeways and methods for saving money on license plates, including specifically a single license plate requirement.
- Requires the Task Force to report its findings and recommendations regarding speed on rural highways and freeways and a single license plate requirement by December 15, 2015.
- Requires the Task Force to evaluate ODOT's funding needs, and to study specifically the effectiveness of the motor fuel tax in meeting those needs and alternative methods for funding the construction and maintenance of roadways and infrastructure.
- Requires the Task Force to report its findings and recommendations regarding ODOT's funding needs by December 15, 2016.

### **Local construction cost match**

- With respect to the Director of Transportation's authority to waive the county, municipal, or township portion of the costs of a highway project, eliminates the requirement that all of the following occur before issuing the waiver:
  - Completion of the preliminary engineering design;
  - Acquisition of all necessary rights-of-way; and
  - Performance or acquisition of all federal, state, and local environmental studies and permits.

### **Bridge Partnership Program (VETOED)**

- Would have created the ODOT Ohio Bridge Partnership Program whereby ODOT would have been required to work with counties and local jurisdictions to either pay the full cost of, or match local expenditures for, the rehabilitation or reconstruction of selected county and municipal bridges (VETOED).
- Would have repealed the program on July 1, 2019 (VETOED).

**Design-build for county projects**

- Increases from \$1.5 million to \$5 million the maximum cost threshold for a county engineer to combine the design and construction elements of a bridge, highway, or safety project into a single contract, known as a design-build contract.

**Pilot project for bridge construction**

- Requires ODOT to conduct a pilot project to construct five to eight new bridges utilizing a 100-year service life design standard that is consistent with the recommendations of the 2013 Design Guide for Bridges for Service Life published by the Transportation Research Board.
- Requires ODOT to select bridge locations in all areas of the state and that the sites represent a mixture of counties that are urban, rural, and suburban.

**Indefinite delivery indefinite quantity (IDIQ) contracts**

- Authorizes the Director of Transportation to enter into indefinite delivery indefinite quantity (IDIQ) contracts for up to two projects in fiscal year 2016 and up to two projects in fiscal year 2017.
- Requires the Director to prepare bidding documents, establish contract forms, determine contract terms and conditions, develop and implement a work order process, and take any other action necessary to fulfill the Director's duties and obligations related to IDIQ contracts.

**ODOT assumption of federal duties**

- Authorizes the Director to enter into agreements with federal agencies to assume certain duties of the U.S. Secretary of Transportation as authorized under federal law.
- Waives state immunity from civil liability with regard to actions taken by the Director pursuant to such an agreement with a federal agency.

**Agreements related to federal permits**

- Authorizes the Director to enter into agreements with any federal department or agency for the sole purpose of dedicating staff to the expeditious and timely review of environmentally related documents that the Director must submit to obtain approval of federal permits.

**Gross vehicle weight and axle load limits**

- Permits a vehicle fueled solely by liquid natural gas to exceed the statutory gross vehicle weight and axle load limits by up to 2,000 pounds.

**Fees and fines from outdoor advertising**

- Requires that fines and fees collected with regard to outdoor advertising devices (e.g., billboards) be deposited into the Highway Operating Fund.
- Requires the fines and fees to be used by the Director solely for enforcing and administering requirements related to outdoor advertising devices.

**Eastern Corridor project**

- Requires the Director, by December 31, 2015, to submit to the President of the Senate and the Speaker of the House a report concerning the advancement in developing the recommended preferred alignment of the roadway construction project to which both of the following apply:
  - The roadway is entitled as "SR 32F – New Connector from the Red Bank Road to Bells Lane"; and
  - The roadway has been assigned the project identification number 86462 on the Tier 3 list of projects of the Transportation Review Advisory Council.

**Transportation improvement districts**

- Allocates specified money to transportation improvement districts (TID) in fiscal years 2016 and 2017 and establishes procedures and qualifications for a TID to request and use funding from ODOT.

**Committee on Rural Busing**

- Authorizes the General Assembly to create the Transportation Oversight Committee on Rural Busing to study and report on whether rural busing routes sufficiently meet the transportation needs of the communities they serve.

**Memorial highway designation**

- Changes the designation of the "Marine Sergeant James Prommersberger and Army Second Lieutenant Charles W. Brown Memorial Highway" to a portion of Interstate 80, rather than a portion of Interstate 76.

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**DEPARTMENT OF TAXATION**

- Extends through the 2016-2017 fiscal biennium the existing reductions in the motor fuel dealers' prompt payment and shrinkage allowances that applied during fiscal years 2008-2015 (1% and 0.5%, respectively).
- Requires the Treasurer of State to deposit in the Highway Operating Fund the first 2% of the amount of the motor fuel tax received in each calendar month.

- Would have exempted from sales tax any transaction by which a rental vehicle is provided to someone whose motor vehicle is undergoing repair covered by a warranty, even if provision of the vehicle was not required under the warranty (VETOED).

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## OTHER PROVISIONS

- Eliminates the requirement that state-owned or -leased motor vehicles use minimum amounts of E85 blend gasoline and blended biodiesel annually.
- Authorizes a port authority to administer one or more payment card programs for paying expenses related to its business, and requires that any obligation incurred from use of a payment card be paid from port authority funds.
- Specifies that the Development Services Agency may use money in the Roadwork Development Fund to construct, reconstruct, maintain, or repair public roads that provide access to or are located within a public airport.
- Reduces from 20% to 15% the minimum amount of state infrastructure assistance that must be granted in the form of loans and debt support for local governments.
- Eliminates the requirement that the make, manufacturer's serial number, and horsepower of any inboard motor or motors of a watercraft be included with an application for a watercraft certificate of title.
- Requires specified flags to be flown at service facilities along the Ohio Turnpike, rather than only at rest areas as under prior law.
- Amends the prohibition against the Ohio Casino Control Commission issuing a license to an applicant who is employed by a governmental unit to apply to an applicant who is an employee of a governmental unit that has significant influence or control over the ability of a casino-related entity to conduct business in Ohio.
- Adds three additional members to the Criminal Justice Recodification Committee: one additional member of the Senate, one additional member of the House, and one Justice of the Ohio Supreme Court.
- Specifies that of the three House members and three Senate members on the Committee:
  - Two House members and two Senate members must be members of the majority party; and
  - One House member and one Senate member must be a member of the minority party.

- Extends from January 1, 2016, to August 1, 2016, the Committee's deadline to recommend a comprehensive plan for revising the Ohio Criminal Code.

## Am. Sub. H.B. 64

*(For details of fiscal provisions of the act, see the LSC Budget in Detail, As Enacted (with FY 2015 Actual Expenditures); the LSC Comparison Document, As Enacted; and the LSC Greenbooks, all of which are available online at [www.lsc.ohio.gov/budget/mainbudget.htm](http://www.lsc.ohio.gov/budget/mainbudget.htm))*

**Reps.** R. Smith, Amstutz, Anielski, Baker, Blessing, Boose, Brown, Buchy, Burkley, Dovilla, Ginter, Green, Hackett, Hagan, Hambley, Hill, Kraus, Maag, McClain, Perales, Reineke, Romanchuk, Scherer, Sears, Sprague, Rosenberger

**Sens.** Oelslager, Balderson, Beagle, Burke, Coley, Eklund, Faber, Hite, Lehner, Manning, Peterson, Uecker, Widener

**Effective date:** June 30, 2015; certain provisions effective September 29, 2015; certain other provisions effective on other dates; contains item vetoes

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## ADJUTANT GENERAL

- Establishes, under the Adjutant General, the Ohio Military Facilities Commission to implement a program to finance or assist in financing infrastructure capital improvements on military and defense installations in Ohio.
- Specifies that the financial assistance may be in the form of grants, loans, and loan guarantees.

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## DEPARTMENT OF ADMINISTRATIVE SERVICES

### Public Employees Health Care Plan Program

- Requires the Department of Administrative Services (DAS) to study and release standards that may be considered best practices for certain public employer health

care plans, instead of adopting and releasing a set of standards that must be considered best practices for those plans.

- Permits health care plans for certain public employees to consider best practices established by the former School Employees Health Care Board or identified by DAS.
- Removes a provision that permitted a political subdivision, upon consulting with DAS, to adopt a delivery system of benefits that is not the best practices.
- Requires DAS to study, instead of publish, information regarding the health care plans offered by certain public employers and consortiums.
- Requires DAS to provide representative cost estimates of options for health care plans, instead of assisting in the design of the plans for certain public employers.
- Removes a requirement that DAS release an annual report on health plan sponsors' compliance with best practices, reducing insurance premium increases, employee expenses, and improving health.
- Removes DAS' authority to adopt rules for the enforcement of health plan sponsors' compliance with best practices.
- Removes requirements that the Public Health Care Advisory Committee make recommendations to DAS relating to best practices; that there are certain appointees; and that members serve without compensation.
- Eliminates the Public Employees Health Care Fund, which DAS used to carry out the provisions related to public employee health care plans.

### **Classified service**

- Allows a state employee who holds a certified or permanent position in the classified service, and who is appointed to a position in the unclassified service on or after January 1, 2016, to resume the classified position only within five years after the employee's appointment in the unclassified service.
- Adds unsatisfactory performance to the reasons certain employees in the classified service may be reduced in pay or position, fined, suspended, removed, or have longevity reduced or eliminated.

### **Job classification plans**

- Authorizes the Director of DAS to assign and modify job classification plans, and to establish experimental classification plans, without adopting rules.

**Pay for exempt employees**

- Increases pay for exempt state employees paid in accordance with salary schedules E-1 and E-2, creates a new step 7 pay range in the E-1 salary schedule, and recasts the former schedule E-1 "step seven only" pay range as "step eight only."
- Provides a one-time pay supplement for certain exempt state employees who are in active payroll status on July 1, 2015, and August 1, 2015, of \$750 for full-time permanent employees and \$375 for less than full-time employees.
- Authorizes an appointing authority, whether or not a vacancy exists, to assign an exempt employee to work in a higher level position for a continuous period of more than two weeks but not more than two years.
- Specifies that such an employee's pay must be established at a rate that is approximately 4% above the employee's current base rate for the period of temporary assignment.

**Benefit eligibility for nonpermanent state employees**

- Adds an exception to continuing law's provision that nonpermanent state employees are ineligible for employee benefits by providing that these employees are ineligible unless otherwise required by law.

**Temporary furlough due to lack of federal funds**

- Permits the Director of DAS to authorize a state appointing authority to temporarily furlough any of its employees if its operation is dependent on federal funds that are not available or have not been received.

**Collective bargaining with the state**

- Prohibits the state from collectively bargaining with individuals who are excluded from coverage under the Public Employees' Collective Bargaining Law and the federal National Labor Relations Act.
- Specifies that the prohibition does not apply with respect to individuals who are exempt from the Public Employees' Collective Bargaining Law but with whom the state may elect to collectively bargain under continuing law.

**State agency procurement****Veteran-friendly procurement**

- Requires the Director of DAS and the Director of Transportation to establish and maintain the Veteran-Friendly Business Procurement Program.

**Preference review**

- Requires state agencies subject to DAS procurement policies to submit a purchase request to DAS when seeking to purchase supplies or services.
- Requires DAS to determine whether the purchase may be made from specified first or second requisite procurement programs that represent programs for which the law confers requisite preference status for state purchasing.
- Requires DAS to grant a requesting state agency a waiver when the purchase cannot be made from a first or second requisite procurement program, and a release and permit for a state agency to make the purchase directly except when the purchase is for telephone, other telecommunications, and computer services.
- Specifies that a release and permit for telephone, other telecommunications, and computer services must be provided in accordance with policies established by the Office of Information Technology within DAS.
- Authorizes DAS to adopt rules to provide for the manner of carrying out the functions and the powers and duties vested in and imposed upon the Director under the centralized procurement preference review authority.

**Competitive selection**

- Eliminates certification authority for state agencies to purchase supplies or services costing between \$25,000 and \$50,000, and provides, instead, for a single competitive bidding threshold of \$50,000.
- Confers rule-making authority on DAS for making purchases by competitive sealed bid.
- Applies the statutory notice provision to "competitive sealed bid" procedures only, instead of to all forms of "competitive selection."
- Eliminates notice by mail of proposed purchases, and provides that any form of electronic notice the Director of DAS considers appropriate to sufficiently notify competing persons of the intended purchase is sufficient.
- Eliminates DAS' authority to divide the state into purchasing districts, and eliminates the ability for persons to be placed on or removed from the competitive selection notification list, which the act also eliminates.

**Supplies and services**

- Reorganizes the State Procurement Law and clarifies that DAS must establish contracts for supplies and services (including telephone, telecommunications, and computer services) for state agencies, and may do so for certain political subdivisions.

- Eliminates the specific authority of DAS to contract to purchase bulk long distance telephone services for the immediate family of deployed persons.
- Clarifies the state entities exempt from the State Procurement Law.
- Permits the exempt entities to request DAS assistance with procurement of supplies and services and, upon DAS' approval, to participate in contracts awarded by DAS.

**Release and permit**

- Requires DAS to grant a release and permit if DAS determines that it is not possible or advantageous for DAS to make a purchase.
- Requires DAS to adopt rules regarding circumstances and criteria for a state agency to obtain a release and permit.
- Permits DAS to grant a blanket release and permit for a state agency for specific purchases.

**Purchasing agreements**

- Permits DAS to enter into cooperative purchasing agreements with certain other state entities.
- Permits the federal government, other states, other purchasing consortia, or any interstate compact authority to purchase supplies or services from DAS contracts.
- Permits DAS to allow state institutions of higher education and governmental agencies to participate in DAS contracts.
- Requires DAS to include in its annual report an estimate of the purchases made by other entities from DAS contracts.

**Financial assurance**

- Permits DAS to require that all bids and proposals be accompanied by a performance bond or other financial assurance, instead of a performance bond or other cash surety.

**Meat and poultry**

- Specifies, for meat and poultry products, who are eligible vendors.
- Repeals the requirement that DAS maintain a list of approved meat and poultry vendors.

**Produced or mined in U.S.**

- Requires DAS and other state agencies first to consider bids that offer products that have been or that will be produced or mined in the U.S.

**Exemptions removed**

- Requires the Workers' Compensation Administrator to make purchases for supplies and services in accordance with the State Procurement Law.
- Eliminates the Administrator's authority to make contracts for and supervise the construction of any project or improvement, or the construction or repair of buildings, under the Bureau's control.
- Eliminates the Administrator's authority to transfer surplus computers and computer equipment directly to a public school.
- Removes State Procurement Law exemptions for the Ohio Tuition Trust Authority, and instead states that Law does not apply to contracts approved under the Trust Authority Board's powers.

**Transportation contracts**

- Allows the Director of Transportation to permit a state agency to participate in contracts the Director has entered into for purchases of machinery, materials, supplies, or other articles.

**Emergency procedures**

- Repeals and reenacts the law authorizing DAS to suspend normal contracting requirements for the Emergency Management Agency or any other state agency involved in response and recovery during a declared emergency period.
- Provides that state agencies acting under this emergency authority are exempt from Controlling Board approval to contract without competitive selection, but requires the agencies to file a report with the Board's President describing all such purchases made during the period of the declared emergency.
- Requires the Director of DAS to notify the Director of Budget and Management and the Controlling Board members of the Director's approval of a request for suspension during a declared emergency period, and precludes purchases under the suspension authority until after the notice is sent.

**Purchase of recycled products**

- Allows state entities and offices to purchase recycled products under rules adopted by the Director of DAS that establish guidelines, and removes the specific requirements that the guidelines must include.
- Eliminates the specific authority for the Director to adopt rules establishing a maximum percentage by which the cost of purchased recycled products may exceed the cost of comparable products.

- Eliminates the requirement that DAS and the Environmental Protection Agency annually report the value and types of recycled products that state entities purchase with state moneys.

### **Excess and surplus supplies**

- Requires each state agency to provide the Director of DAS with a list of its excess and surplus supplies, including the supplies' location and whether the agency has control of them.
- Requires the Director to take immediate control of excess and surplus supplies and to make arrangements for their disposition, except for excess or surplus supplies that are part of an approved interagency transfer or that are donated food.
- Prohibits the Director from charging a fee for collection or transportation of excess and surplus supplies.
- Requires the Director to post on a public website a list of the excess and surplus supplies available for acquisition.
- Removes the requirement that the Director dispose of excess and surplus supplies in a specific order of priority, and instead permits the Director to dispose of them in any of the enumerated manners.
- Eliminates a prohibition that certain entities sell, lease, or transfer excess or surplus supplies to private entities or the general public at a price greater than the price it originally paid.
- Removes an exemption that allowed the Department of Youth Services to transfer its excess or surplus supplies to community corrections facilities.

### **Funding of building operation and maintenance**

- Modifies the manner in which DAS seeks reimbursement from state agencies for space occupied in state buildings and funds the maintenance and improvement of those buildings.
- Abolishes the Building Operation Fund.
- Expands the use of the Building Improvement Fund to any facility maintained by DAS.

### **Geographically Referenced Information Program Council**

- Removes from the Ohio Geographically Referenced Information Program Council all members appointed by the Governor and replaces them with specified officials and the executive directors of specified local government associations.
- Requires that Council members serve without compensation.

**State printing and forms management**

- Eliminates the Statewide Forms Management Program within DAS.
- Modifies the public printing responsibilities of DAS.
- Places public printing for the Bureau of Workers' Compensation under DAS's supervision.
- With respect to certain state publications, eliminates the requirement that each copy indicate the total number of copies produced and the cost of each copy.

**9-1-1**

- Requires the Statewide Emergency Services Internet Protocol Network Steering Committee to update the operational standards for public safety answering points to ensure that personnel prioritize life-saving questions when responding to 9-1-1 calls and have proper training to give emergency instructions.
- Gives the 9-1-1 Program Office oversight over the administration of three different funds related to 9-1-1 law, rather than administrative authority over one of those funds.
- Repeals a requirement that, although unclear under prior law, appeared to require the Steering Committee to annually transfer excess funds remaining in the Wireless 9-1-1 Program Fund to the Next Generation 9-1-1 Fund.

**Electronic record certificate of authenticity**

- Eliminates a requirement that a state agency, if it alters the format of an electronic record, create a certificate of authenticity for each set of records that is altered.
- Removes a provision that allowed DAS to permit a state agency to deviate from DAS rules regarding electronic records and signatures.

**Other provisions**

- Authorizes DAS, in a reverse auction or competitive sealed bidding process, to deliver notice to a nonresponsive, nonresponsible low bidder by electronic means.
- Requires the Director of DAS to implement strategies that benefit enterprise information technology solutions by improving efficiency, reducing costs, or enhancing the capacity of information technology services.
- Abolishes the Cost Savings Fund.
- Abolishes the Departmental MIS Fund and redirects the Fund's revenue to the Information Technology Fund.
- Eliminates the Vehicle Management Commission, which was required to periodically review the DAS fleet management program.



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## **JOINT COMMITTEE ON AGENCY RULE REVIEW**

- Requires the Legislative Service Commission to act as fiscal agent for the Joint Committee on Agency Rule Review, instead of the Chief Administrative Officer of the House or the Clerk of the Senate.
- Clarifies that rules adopted by the Department of Taxation are subject to periodic, five-year review.

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## **DEPARTMENT OF AGING**

- Beginning July 1, 2016, increases from \$300 to \$350 the fee charged to certain long-term care facilities for the Ohio Long-term Care Consumer Guide.
- Changes, from 90 days to a period specified in rules, the period for which an applicant for the Medicaid-funded component of the PASSPORT program may participate in the state-funded component of PASSPORT.
- Makes a corresponding change to the period for which an individual may participate in the state-funded component of the Assisted Living Program.
- Repeals a provision that grants eligibility for the state-funded component of the PASSPORT program to an individual no longer eligible for the Medicaid-funded component of PASSPORT.
- Permits an individual enrolled in the Medicaid-funded component of the Assisted Living Program to choose a single occupancy room or, subject to an approval process to be established in rules, a multiple occupancy room.

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## **DEPARTMENT OF AGRICULTURE**

### **Transfer of Agricultural Soil and Water Conservation Program**

- Transfers the Agricultural Soil and Water Conservation Program from the Department of Natural Resources to the Department of Agriculture, and retains all components of the Program.

### **State matching funds for conservation districts**

- Authorizes a board of county commissioners that has established a county sewer district to enter into a contract with another public agency under which that agency will undertake projects and activities for compliance with phase II of the federal storm water program.

- If the contract is with a soil and water conservation district, generally requires the Department of Agriculture to pay the district state funds to match the money the district receives under the contract, as part of ongoing state matching payments to the districts.
- Stipulates limits on the state matching money paid in calendar years 2015, 2016, and 2017 for the contracted storm water activities.

### **Agricultural society facilities grants**

- Creates the Agricultural Society Facilities Grant Program to provide grants in FY 2017 to county and independent agricultural societies to support capital projects that enhance the use and enjoyment of agricultural society facilities.
- Generally requires each agricultural society that applies for assistance to receive an equal amount appropriated for the above purposes.
- Requires the Director of Agriculture or the Director's designee to establish requirements and procedures for the Program, including procedures for reviewing applications and awarding grants.
- Requires the agricultural society to provide a matching grant.
- Requires the Director or designee, after reviewing a grant application and matching grant documentation, to approve the application unless:
  - The project or facility is not a bondable capital improvement project; or
  - The agricultural society does not provide a matching grant.

### **Other provisions**

- Eliminates the Agricultural Financing Commission, which advised the Director concerning the Family Farm Loan Program, which was repealed in 2007.
- Eliminates provisions that governed review compliance certificates issued under the Concentrated Animal Feeding Facilities Law, the operation of which has expired.
- Eliminates requirements and procedures under which a county had to reimburse the owner of an animal that had been killed or injured by another's dog.
- Extends through June 30, 2017, the extra 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund.
- Regarding exemptions from licensure under the Auctioneers Law:
  - Adds an exemption for sales at an auction sponsored by a tax-exempt organization, such as a business league, chamber of commerce, or board of trade when certain conditions apply; and

--Revises the continuing exemption for a bid-calling contest conducted to advance or promote the auction profession in Ohio by allowing any type of compensation to be paid to the event's sponsor or participants.

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### **OHIO AIR QUALITY DEVELOPMENT AUTHORITY**

- Provides for an Energy Strategy Development Program, to be monitored by the Ohio Air Quality Development Authority, to develop energy initiatives, projects, and policy that align with Ohio's energy policy.

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### **OHIO ATHLETIC COMMISSION**

- Eliminates certain qualifications for membership on the Ohio Athletic Commission.
- Enables a Commission member whose term has ended to continue to serve for an indefinite period until a replacement is appointed, rather than a maximum of 60 days.
- Specifies that individuals participating in mixed martial arts events or other unarmed combat sports overseen by the Commission are subject to licensing.
- Removes the requirement that a person wishing to participate as a contestant in an event overseen by the Commission submit with the license application a certified copy of a physical examination.
- Removes the requirement that a person seeking a referee's license pass an examination administered by the Commission.
- Alters the form and content of a license issued by the Commission.

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### **ATTORNEY GENERAL**

- Repeals the journalist access exception to the general prohibition against the release of confidential records a sheriff keeps relative to the issuance, renewal, suspension, or revocation of a concealed handgun license.
- Requires the Attorney General to adopt rules governing the training of peace officers on companion animal encounters and behavior and specifies what the rules must include.

- Requires the peace officer basic training program and the Ohio Peace Officer Training Academy to include training on companion animal encounters and behavior.
- Requires the Attorney General to determine compliance with the terms of a state economic development award at the end of the year by which the recipient is required to meet a performance metric, rather than annually.
- Requires the Attorney General to enter into an agreement with the U.S. Secretary of the Treasury to participate in the federal Treasury Offset Program for the collection of outstanding state income tax and unemployment debts.

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## AUDITOR OF STATE

- Authorizes the Auditor of State to conduct a performance audit of a municipal corporation, county, or township that is under a fiscal caution, fiscal watch, or fiscal emergency.
- Authorizes the Controlling Board to provide sufficient funds for the performance audit.
- Until September 29, 2017, requires the Auditor of State to declare that a fiscal emergency exists in a municipal corporation, county, or township that has not taken reasonable action to discontinue or correct its fiscal watch condition.
- Reduces, from 120 days to 90 days, the time a municipal corporation, county, or township for which a fiscal watch has been declared is given to submit its financial recovery plan to the Auditor of State.
- Allows the Auditor of State to receive a share of the proceeds of property that is forfeited as part of a law enforcement investigation when the Auditor of State is substantially involved in the seizure of the property.
- Creates the Auditor of State Investigation and Forfeiture Trust Fund to receive those forfeiture proceeds and requires the Auditor of State to follow certain administrative procedures in managing and using the Fund.
- Repeals a provision of law that required certain employees of the Auditor of State's Office to have their hourly and annual pay reduced by 2%.

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## OFFICE OF BUDGET AND MANAGEMENT

- Increases the amount intended to be maintained in the Budget Stabilization Fund from 5% to 8.5% of GRF revenues for the preceding fiscal year.
- Permits a state agency to certify to the Office of Budget and Management (OBM) the amount due for a service subscription provided to a state agency for which an ongoing service was initiated but payment was not received.
- Authorizes the OBM Director to transfer from the receiving agency to the providing agency the amount that should have been paid for the service subscription.
- Defines a service subscription as an ongoing service provided to a state agency by another state agency for which an estimated payment is made in advance and final payment is determined based on actual use.
- Permits the Director, under certain circumstances, to transfer interest earned by any state fund to the GRF.
- Authorizes the Director, in each fiscal year, to transfer up to \$60 million in cash to the GRF from non-GRF funds that are not constitutionally restricted to ensure that GRF receipts and balances are sufficient to support GRF appropriations.
- Permits the Director to issue guidelines to agencies applying for federal money made available to the state for fiscal stabilization and recovery purposes.
- Appropriates any money the Controlling Board approves for expenditure, or any increase in appropriation the Controlling Board approves, pursuant to ongoing law.
- Abolishes various uncoded funds.

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## CAPITAL SQUARE REVIEW AND ADVISORY BOARD

- Alternates the chair of the Capitol Square Review and Advisory Board between Senate and House of Representatives members of the Board each year.
- Requires that the Senate majority member serve as chairperson in odd-numbered years and the House majority member serve as chairperson in even-numbered years.

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## OHIO STATE BOARD OF CAREER COLLEGES AND SCHOOLS

- Extends the permit period for an agent representing a career college or school, from one year to up to two years.

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## **CASINO CONTROL COMMISSION**

### **Appeals from Commission orders**

- Requires an appeal from an Ohio Casino Control Commission order to be taken to the Franklin County Court of Common Pleas.
- Authorizes the court to suspend a Commission order, and to fix the terms of the suspension under certain circumstances.
- Specifies the maximum time for termination of any order issued by a court of common pleas or a court of appeals suspending the effect of a Commission order generally relating to an applicant, licensee, or person excluded or ejected from a casino facility.
- Requires the court of common pleas, or the court of appeals on appeal, to render judgment in the matter within six months after the filing date of the Commission's record.
- Prohibits a court of appeals from suspending the effect of an order that extends beyond six months after the filing date of the Commission's record.
- Specifies that an appeal of the Commission's order must be set down for hearing at the earliest possible time and must be given precedence over all other actions.

### **Casino Law; skill-based amusement machines**

- States that the Commission has jurisdiction over all persons conducting or participating in the conduct of skill-based amusement machine operations.
- Grants the Commission authority to adopt rules related to the operation of skill-based amusement machines.
- Expands the Commission's authority relating to gaming agents to include employing and assigning gaming agents to assist the Commission in carrying out its duties under the Gambling Law.
- Gives the Commission and gaming agents authority to detect, investigate, seize evidence, and apprehend and arrest persons allegedly committing violations of gambling offenses under the Gambling Law, and grants the Commission access to skill-based amusement machine facilities.
- Creates a criminal penalty under the Casino Law for a person who purposely or knowingly operates a skill-based amusement machine operation in a manner other than the manner required under the Gambling Law, and states that these premises are a nuisance subject to abatement.

- Changes the mental state throughout the Casino Law penalty provisions that must accompany certain violations from knowingly or intentionally to purposely or knowingly.
- Removes a deadline by which the Commission must have adopted initial casino-related rules.

### **Commissioner salary**

- Adjusts the Casino Control Commissioners' salaries on the act's effective date (September 29, 2015) and on July 1, 2016, and July 1, 2017.

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## **DEPARTMENT OF COMMERCE**

### **U.S. savings bonds as unclaimed funds**

- Creates a presumption that a U.S. savings bond constitutes unclaimed funds under the Unclaimed Funds Law.

### **Securities Law**

- Exempts certain persons from the dealer license requirement.
- Modifies the definition of "institutional investor."

### **Small government fire services loans**

- Creates the Small Government Fire Department Services Revolving Loan Fund.
- Permits the State Fire Marshal to loan money from the Fund for purposes of the ongoing Small Government Fire Department Services Revolving Loan Program.

### **Liquor**

#### **State Liquor Regulatory Fund**

- Generally requires all money collected under the Liquor Control Law to be credited to the State Liquor Regulatory Fund, rather than the Liquor Control Fund.

#### **Liquor permitting**

- Expands the affirmative defense for a violation of the law prohibiting the sale of alcohol to an underage person by allowing a liquor permit holder to claim the defense after acceptance of an out-of-state identification card or a U.S. or foreign passport.
- Alters the required population range of one type of municipal corporation where a D-5j liquor permit may be issued in a community entertainment district by specifying that the municipal corporation must have a population between 7,000 and 20,000, rather than between 10,000 and 20,000.

- Authorizes the Division of Liquor Control to issue a D-5l liquor permit (for sales of beer and intoxicating liquor in a revitalization district) to a premises that is located in a township with a population density of less than 450 people per square mile.
- Requires the D-6 liquor permit (Sunday sales of beer and intoxicating liquor) to be issued to a D liquor permit holder that is a retail food establishment or food service operation and is located in a state park that has a working farm on its property.
- Establishes requirements and procedures to allow certain liquor permit holders to serve beer or intoxicating liquor until 4 a.m. during a major event occurring in a municipal corporation with a population of 350,000 or more.

#### **Sale of tasting samples, growlers**

- Allows the holder of both a C-1 and C-2 liquor permit, or the holder of a C-2x permit, that is the owner of a retail store within a municipal corporation or township with a specified population to obtain a D-8 liquor permit for the sale of tasting samples of beer, wine, and mixed beverages and the sale of growlers of beer.

#### **Merchandise as gift with purchase**

- Allows, under specified circumstances, a manufacturer, supplier, or solicitor of alcoholic beverages to give merchandise or another thing of value to a personal consumer in connection with the purchase of an alcoholic beverage.

#### **Real estate licenses**

- Increases, from \$10,000 per year to \$25,000 per fiscal year, the amount of loans the Real Estate Education and Research Fund may advance annually to applicants for salesperson licenses.
- Permits a licensed real estate broker or salesperson whose license is on deposit as an armed serviceperson to take up to the longer of 12 months after the licensee's first birthday after discharge or the amount of time the licensee spent on active duty to complete continuing education requirements.
- Permits a licensee who is the spouse of a member of the armed forces an extended time period to renew the license and to complete continuing education requirements.

#### **Real estate appraiser assistants**

- Requires that, in accordance with federal law, real estate appraiser assistants complete 14 classroom hours of continuing education instruction annually, without former law's two-year grace period.
- Exempts real estate appraisers who have obtained a temporary certification or license from continuing law's continuing education requirements.



## **Fireworks**

- Extends a moratorium on issuing new fireworks manufacturer licenses, new fireworks wholesaler licenses, and the geographic transfer of either license type, from December 15, 2015, to December 15, 2017.
- Permits individuals to purchase and possess fireworks without completing a purchaser's form that contains an acknowledgement of responsibility and identifying information.

## **School door barricades**

- Requires the Board of Building Standards to adopt rules for staff of a public or private school or institution of higher education to use a device that prevents ingress and egress through a door in a school building, for a finite period of time and in an emergency situation.
- Requires each public and private school and institution of higher education to train its staff on using the barricade device and to maintain a record of this training.
- Prohibits the State Fire Code from containing any provision that prohibits the use of a barricade device that is operated in accordance with the Board's rules.

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## **CONTROLLING BOARD**

- Would have prohibited the Controlling Board from authorizing expenditure of unanticipated revenue received by the state if the revenue exceeded the lesser of:
  - 10% of the amount appropriated for the specific or related purpose or item for that fiscal year; or
  - \$10 million (VETOED).
- Would have prohibited the Controlling Board from creating additional funds to receive unanticipated revenue in an appropriation act for the biennium in which the new revenues were received if the revenue exceeded \$10 million (VETOED).

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## **STATE DENTAL BOARD**

- Adds specified types of entities that provide health care services or dental services to indigent and uninsured persons to the entities through which a person may practice dentistry, dental surgery, or dental hygiene.

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## **DEVELOPMENT SERVICES AGENCY**

### **Tax credit transparency**

- Requires the Development Services Agency (DSA) Director to make available to the public an estimate of total revenue that will be foregone by the state as a result of each tax incentive approved by the Tax Credit Authority within 30 days after the Authority approves the incentive.

### **Lakes in Economic Distress Revolving Loan Program**

- Creates the Lakes in Economic Distress Revolving Loan Program to assist businesses and other entities that are adversely affected due to economic circumstances that result in the declaration of a lake as an area under economic distress, and requires the DSA Director to administer the Program.
- Requires the Director of Natural Resources to declare a lake as an area under economic distress based on environmental or safety issues and subsequently declare it as an area no longer under economic distress when those issues have been resolved.
- Creates the Lakes in Economic Distress Revolving Loan Fund, requires the DSA Director to use the Fund to make loans, and stipulates that the loans must be zero interest loans during the time that a lake has been declared an area under economic distress.
- Requires the DSA Director to adopt rules that establish requirements and procedures for the making of loans such as eligibility criteria and criteria for repayment of the loans.

### **Abandoned gas station cleanup grants**

- Creates the Abandoned Gas Station Cleanup Grant Program for the cleanup and remediation of Class C release sites, and authorizes the DSA Director to award grants to specified political subdivisions and organizations owning public land for property assessments and cleanup and remediation of sites.
- Requires a grant applicant to certify that the applicant did not cause or contribute to a prior release of petroleum or other hazardous substances on the site.
- Creates the Service Station Cleanup Fund, and authorizes the Director of Budget and Management to transfer to it not more than \$20 million from the Clean Ohio Revitalization Fund.

### **Third Frontier internships**

- Requires the Third Frontier Commission to operate, for FY 2016 and FY 2017, an Ohio Third Frontier Internship Program.

**Local government safety capital grants**

- Establishes the Local Government Safety Capital Grant Program under which the Local Government Innovation Council awards grants to political subdivisions for purchase of vehicles, equipment, facilities, or systems to enhance public safety.
- Limits the total grants awarded to an individual political subdivision to \$100,000.

**Federal Community Services Block Grant funds**

- Decreases, from 95% to 91%, the minimum percentage of funds that must be distributed to community action agencies and migrant and seasonal farm worker organizations from the federal Community Services Block Grant Act.
- Requires at least 4.5% of the funds to go to one or more nonprofit organizations that train and provide technical assistance to community action agencies.

**Housing Trust Reserve Fund**

- Creates the Housing Trust Reserve Fund in the state treasury.
- Provides that the Reserve Fund is to consist of specified housing trust fund fees received each year by the Treasurer of State.
- Permits the DSA Director to request the Director of Budget and Management to transfer money from the Reserve Fund to the Low- and Moderate-Income Housing Trust Fund if money in the Trust Fund falls below a certain level.

**Other provisions**

- Moves, from August 1 to October 1, the due date of DSA's annual report regarding its bond-financed economic assistance programs.
- Moves, from January 7 to August 1, the due date for DSA's annual report regarding the Career Exploration Internship Program.
- Requires DSA to post on its website a report that maps and reviews entrepreneurial business incubators in Ohio.
- Abolishes the Motion Picture Tax Credit Program Operating Fund and redirects its revenue to the Business Assistance Fund.
- Abolishes the Industrial Site Improvements Fund and the Rural Industrial Park Loan Fund.

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## DEPARTMENT OF DEVELOPMENTAL DISABILITIES

### Closure of developmental centers (VETOED)

- Would have modified the procedures to be followed by the Governor when announcing an intent to close a developmental center (VETOED).

### Sheltered workshops (PARTIALLY VETOED)

- Specifies the General Assembly's intent that individuals being served on September 29, 2015, through the existing array of adult day services be fully informed of any new home and community-based services and continue receiving services in a variety of settings.
- Would have required a Medicaid waiver component administered by the Ohio Department of Developmental Disabilities (ODODD) that covers adult day services provided by sheltered workshops to continue covering the services (VETOED).
- Would have required that the Medicaid rates for adult day services provided by sheltered workshops during FY 2016 and FY 2017 be no less than the June 30, 2015, rates for those services (VETOED).
- Would have prohibited a sheltered workshop with a Medicaid provider agreement to provide adult day services from decreasing the number of Medicaid recipients it is willing and able to serve (VETOED).

### Supported living certificates

- Provides that a person or government entity's authority to provide Medicaid-funded supported living under a supported living certificate is revoked automatically or is to be denied renewal if the Medicaid provider agreement to provide supported living is revoked or denied revalidation.
- Increases to five years (from one year) the period during which a person or government entity is prohibited from applying for a supported living certificate following an order refusing to issue or renew the certificate.

### Residential facility licensure

- Repeals certain provisions related to the licensure of residential facilities by ODODD.
- Permits the ODODD Director to assign the responsibility for conducting surveys and inspections to the Department of Health.
- Authorizes the renewal of interim licenses for 180 (rather than 150) days.
- Requires a licensee to transfer records to the new licensee or management contractor when the identity of the licensee or contractor changes significantly.

**Incentives to convert ICF/IID beds**

- Permits the Director to forgive the outstanding balance a county board of developmental disabilities or nonprofit, private agency otherwise owes under an agreement regarding the construction, acquisition, or renovation of a residential facility, if certain conditions are met.
- Permits the Director to change the terms of an agreement with a county board or private, nonprofit agency regarding the construction, acquisition, or renovation of a residential facility, if certain conditions are met.

**Efforts to reduce ICF/IID beds**

- Specifies interim benchmarks that ODODD must strive to achieve in converting ICFs/IID to be used for home and community-based services.

**Consent for medical treatment**

- Authorizes a guardian (or court in the absence of a guardian) of a resident of an institution for the mentally retarded who is physically or mentally unable to receive information, or who has been adjudicated incompetent, to give informed consent to an experimental procedure on the resident's behalf.
- Eliminates provisions requiring informed consent before a resident of an institution for the mentally retarded receives convulsive therapy, major aversive interventions, or unusual or hazardous treatment procedures.

**ICF/IID Medicaid rates**

- Specifies the Medicaid rate paid to an intermediate care facility for individuals with intellectual disabilities (ICF/IID) in peer group 1 for a Medicaid recipient admitted on or after July 1, 2015, and is placed in the chronic behaviors and typical adaptive needs classification or the typical adaptive needs and nonsignificant behaviors classification.
- Provides for modifications in an ICF/IID's Medicaid rate for a period following its (1) downsizing, (2) partially converting to a provider of home and community-based services, or (3) beginning to participate in Medicaid after obtaining beds from downsized ICFs/IID.
- Modifies the formula for determining the FY 2016 Medicaid rates for ICFs/IID in peer groups 1 and 2.
- Provides for the FY 2016 total Medicaid rate paid to an ICF/IID in peer group 1 for services provided to a low resource utilization resident admitted on or after July 1, 2015, to be the lesser of the rate determined with the modifications or a specified flat rate.

- Requires ODODD, if the FY 2016 mean total per Medicaid day rate for ICFs/IID in peer groups 1 and 2 is other than \$283.32, to adjust the total rate by the percentage by which the mean rate is greater or less than that amount.
- Modifies the formula to be used in determining the FY 2017 Medicaid rates for ICFs/IID in peer groups 1 and 2.
- Requires ODODD, if the FY 2017 mean total per Medicaid day rate for ICFs/IID in peer groups 1 and 2 is other than \$288.27 or a larger amount determined by ODODD, to adjust the total rate by the percentage by which the mean rate is greater or less than that amount.
- Provides for an ICF/IID in peer group 3 that obtained an initial Medicaid provider agreement during FY 2015 to continue to be paid, for services provided during FY 2016, the ICF/IID's total per Medicaid day rate in effect on June 30, 2015.
- Requires the ICF/IID Medicaid Rate Workgroup to assist ODODD with its evaluation of revisions to the formula used to determine Medicaid payment rates for ICF/IID services during FY 2016 and FY 2017.

### **ICF/IID payment methodology transformation**

- Requires ODODD to issue, by July 31, 2015, a request for proposals for an entity to develop a plan to transform the Medicaid formula for ICF/IID services with a goal of beginning the transformation by July 1, 2017.

### **Quality Incentive Workgroup**

- Requires the Director to create the ICF/IID Quality Incentive Workgroup to study the issue of establishing, as part of the Medicaid formula for ICF/IID services, accountability measures that act as quality incentives.

### **Admissions to ICFs/IID**

- Prohibits, with certain exceptions, an ICF/IID with more than eight beds from admitting an individual as a resident, unless specified conditions are met.

### **Enrolling ICF/IID residents in Medicaid waiver programs**

- Requires ODODD to develop and make available to all ICFs/IID a written pamphlet that describes the services that Medicaid covers under the ICF/IID benefit and the services covered by ODODD-administered Medicaid waiver programs.
- Requires ICFs/IID to provide the pamphlet to residents and their guardians, to discuss the pamphlet with them at certain times, and to refer to county boards residents who indicate interest in a waiver program.
- Requires a county board to enroll the resident in an ODODD-administered Medicaid waiver program if specified conditions are met, and makes ODODD responsible for

the nonfederal share of the Medicaid expenditures for the services received by such an ICF/IID resident.

**ICF/IID sleeping room occupancy**

- With certain exceptions, prohibits an ICF/IID from allowing more than two residents to share a sleeping room.
- Requires an ICF/IID in which more than two residents share a sleeping room to submit to ODODD a plan to come into compliance with the occupancy limit by June 30, 2025.

**Service and support administrators**

- Prohibits service and support administrators for county boards from providing programs or services to individuals with mental retardation or developmental disabilities through self-employment.

**ICF/IID franchise permit fees**

- Reduces the per bed per day franchise permit fee charged to ICFs/IID from \$18.17 to \$18.07 for FY 2016 and to \$18.02 thereafter.
- Requires ODODD to notify ICFs/IID, electronically or by U.S. mail, of (1) the amount of their franchise permit fees and (2) the date, time, and place of hearings for appeals regarding the fees.

**Conversion of beds**

- Provides that the Medicaid Director is not required to conduct an adjudication when (1) terminating an ICF/IID's provider agreement due to its converting all of its beds to providing home and community-based services or (2) amending an ICF/IID's provider agreement to reflect reduced capacity from converting some of its beds.
- Provides that the prohibition against making a Medicaid payment to an ICF/IID for the day a Medicaid recipient is discharged does not apply if the recipient is discharged because all of the ICF/IID's beds are converted to providing home and community-based services.
- Revises the requirements and procedures for ODODD to terminate the franchise permit fee of an ICF/IID that converts its beds to providing home and community-based services.

**Priority status for residents**

- Specifies that a resident of a nursing facility or ICF/IID receives priority status on the waiting list for home and community-based services provided by a county board.



**Medicaid rates for homemaker/personal care services**

- Provides for the Medicaid rate for each 15 minutes of routine homemaker/personal care services provided to a qualifying enrollee of the Individual Options (IO) waiver program to be, for 12 months, 52¢ higher than the rate for such services provided to an IO enrollee who is not a qualifying enrollee.
- Permits the Medicaid rate for routine homemaker/personal care services covered by ODODD-administered Medicaid waiver programs and provided between January 1, 2016, and June 30, 2017, to be, subject to available funds, 6% higher than the rate in effect on June 30, 2015.

**County board share of expenditures**

- Requires the ODODD Director to establish a methodology to be used in FY 2016 and FY 2017 to estimate the quarterly amount each county board is to pay of the nonfederal share of Medicaid expenditures for which the county board is responsible.

**Developmental centers**

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

**Innovative pilot projects**

- Permits the Director to authorize, in FY 2016 and FY 2017, innovative pilot projects that are likely to assist in promoting the objectives of state law governing ODODD and county boards.

**Use of county subsidies**

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

**Updating statute citations**

- Provides that the Director is not required to amend any rule for the sole purpose of updating the citation to its authorizing statute to reflect that the act renumbers or relocates the authorizing statute.

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**DEPARTMENT OF EDUCATION****Formula amount**

- Specifies a formula amount of \$5,900 per pupil for FY 2016 and \$6,000 for FY 2017.



**State share index**

- Revises the calculation of a district's "state share index" by:
  - Calculating an "income index" that is based on both a district's median Ohio adjusted gross income and average federal adjusted gross income; and
  - Revising the calculation of a district's "wealth index" factor of the computation by basing it on both a district's "median income index" and a district's "income index."

**Targeted assistance supplemental funding**

- Revises the calculation of targeted assistance supplemental funding by providing this funding to districts with more than 10% agricultural real property but not to those with 10% or less agricultural real property, and makes other changes to the formula.
- Removes a requirement that districts must receive targeted assistance funding (which is based on a district's value and income) in order to receive targeted assistance supplemental funding.

**Categorical payments (PARTIALLY VETOED)**

- Revises the dollar amounts for each category of special education services.
- Revises the dollar amounts for the calculation of kindergarten through third-grade literacy funds.
- Maintains the FY 2015 dollar amount for economically disadvantaged funds for both years of the biennium, and revises the calculation of the "economically disadvantaged index for a school district" that is used as a factor in computing economically disadvantaged funds.
- Maintains the FY 2015 dollar amounts for each category of limited English proficient students for both years of the biennium.
- Maintains the FY 2015 dollar amount for gifted identification funds and for each gifted unit for both years of the biennium.
- Revises the dollar amounts for each category of career-technical education programs and career-technical associated services.
- Would have eliminated the 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 (VETOED).

**Additional payments**

- Requires the Department of Education to make an additional payment of "capacity aid" funds to city, local, and exempted village school districts based on how much one mill of taxation will raise in revenue.
- Requires the Department to pay an additional "graduation bonus" to each city, local, and exempted village school district, joint vocational school district, community school, and STEM school based on how many of its students graduate.
- Requires the Department to pay an additional "third-grade reading bonus" to each city, local, and exempted village school district and community school based on how many of its third grade students score proficient or higher on the English language arts assessment.

**Transportation funding**

- Specifies that a school district's transportation funding be calculated using a multiplier that is the greater of 50% (rather than 60% as under prior law) or the district's state share index.
- Requires the Department to pay each school district a transportation supplement based on its rider density.
- Removes the requirement that each city, local, and exempted village school district report all data used to calculate transportation funding through the Education Management Information System (EMIS).
- Removes the requirement that a community school that enters into an agreement to transport students or accepts responsibility to do so must provide or arrange free transportation for its students who would otherwise be transported by their districts.
- Clarifies that payments to a community school for transporting students must be calculated on a "per rider basis."

**Payment caps and guarantees (PARTIALLY VETOED)**

- Specifies that a city, local, or exempted village school district's aggregate core foundation funding, excluding specified payments, and pupil transportation funding may not increase to more than 7.5% of the previous year's state aid in each fiscal year of the biennium.
- Specifies that a joint vocational school district's aggregate core foundation funding, excluding specified payments, may not increase to more than 7.5% of the previous year's state aid in each fiscal year of the biennium.

- Guarantees that all districts receive at least the same amount of state aid in each fiscal year of the biennium as in FY 2015, other than career-technical education and career-technical education associated services funding for FY 2017.
- Would have guaranteed that all districts received a minimum amount in total per-pupil state operating funding (VETOED).

### **Straight A Program**

- Extends the Straight A Program to FY 2016 and FY 2017, and (1) permits governmental entities partnering with educational entities to apply for grants, (2) requires the governing board to issue a "timely decision," rather than within 90 days, and (3) eliminates the committee that annually reviewed the program.

### **Other funding provisions**

- Specifies that the amount a school district or community school must pay to a joint vocational school district providing special education to a student of the district or school for costs that exceed the funding the joint vocational district receives must be calculated using a formula approved by the Department.
- Specifies that a city, local, or exempted village school district may enroll under its interdistrict open enrollment policy an adjacent or other district student who is a preschool child with a disability.
- Requires the Department to pay to a district that enrolls under its open enrollment policy an adjacent or other district student who is a preschool child with a disability, and to deduct \$4,000 for that student from the state education aid of the student's resident district.
- Permits a district providing special education to a preschool child with a disability who resides in another district under an agreement between the districts to require the district of residence to pay the full amount (rather than half) of the tuition of the district providing the education.
- Modifies the permitted uses of Auxiliary Services Funds.
- Specifies that if the appropriation for nonpublic school administrative cost reimbursement for FY 2016 or FY 2017 is sufficient, the Department may pay up to \$420 per pupil for each school year, rather than the \$360 per pupil maximum under permanent law.

### **Community schools**

- Requires an educational service center sponsoring a conversion school to be approved as a sponsor by the Department.

- Changes the definition of "Internet- or computer-based community school" to include a school that offers career-technical education, even if it provides some classroom-based instruction.
- Permits a community school that satisfies specified requirements to be licensed by the Department to operate a preschool program and establishes requirements and limitations for that program.
- Requires the Department, by July 1, 2016, to present to the House and Senate Education committees a plan that proposes the expansion of the Department's authority to directly authorize community schools and recommendations for a rating rubric for community school sponsor evaluations.
- Requires the Department, in conjunction with an educational service center association and a gifted children association, to submit to the House and Senate Education and Finance committees and subcommittees a feasibility analysis of 16 regional community schools for gifted children.

### **Access to school district property**

- Requires a school district, when it decides to sell real property, to first offer it to high-performing community schools and newly established community schools with a community school model that has a track record of high quality academic performance.
- Requires a school district, when it is required to offer unused school facilities for lease or sale, to first offer the facilities for sale or lease to high-performing community schools sponsored by the district.
- Prohibits community schools and public college-preparatory boarding schools from selling any property purchased from a school district by way of mandatory sale within five years of purchasing that property, except to another community school or college-preparatory boarding school located in the district.
- Temporarily permits a city school district to offer district property for purchase or lease by a nonprofit corporation operating a professional sports museum located in the same municipal corporation, instead of offering a right of first refusal to community schools or college-preparatory boarding schools or conducting a sale by auction.
- Extends the expiration date of a provision permitting a school district to offer highest priority to purchase an athletic field to the current leaseholder from December 31, 2015, to December 31, 2017.

**State assessments**

- Prohibits GRF funds from being used to purchase an assessment developed by the Partnership for Assessment of Readiness for College and Careers for use as the state elementary and secondary achievement assessments.
- Prohibits federal Race to the Top program funds from being used for any purpose related to the state elementary and secondary achievement assessments.
- Requires the state Superintendent to verify by July 30, 2015, that:
  - The state elementary and secondary achievement assessments for the 2015-2016 school year will be administered once, not over multiple testing windows, and in the second half of the school year; and
  - The length of those assessments will be reduced as compared to the assessments administered in 2014-2015, "in order to provide more time for classroom instruction and less disruption in student learning."
- If the 2015-2016 state achievement assessments do not meet the conditions described above, requires the state Superintendent to take the steps necessary to find and contract with one or more entities to develop and provide assessments that meet the prescribed conditions.
- Extends through the 2015-2016 school year, the prohibition, formerly in effect for 2014-2015 only, that:
  - Prohibits school districts and schools from being required to administer the state achievement assessments in an online format;
  - Permits a district or school to administer the assessments in any combination of online and paper formats at the discretion of the district board or school governing authority; and
  - Requires the Department of Education to furnish, free of charge, all required state assessments for the school year.
- Revises the deadline by which the scores on state elementary and secondary achievement assessments must be sent to school districts and schools, beginning with the 2015-2016 school year.
- Makes eligible for high school graduation an individual who entered ninth grade prior to the 2014-2015 school year, if that person completes one of the three graduation pathways otherwise required for high school students who began ninth grade after that date.
- Makes eligible for high school graduation a person who entered ninth grade prior to the 2014-2015 school year, and who has not passed all areas of the Ohio Graduation

Tests (OGT), if the person meets a graduation requirement (established by rules adopted by the State Board of Education) that combines partial passage of the OGT and completion of a graduation pathway.

- Exempts students enrolled in a chartered nonpublic school that is accredited through the Independent School Association of the Central States (ISACS) from requirements:
  - To complete one of three prescribed pathways for high school graduation;
  - To take the high school end-of-course examinations; and
  - To take the nationally standardized assessment of college and career readiness.
- Authorizes a non-ISACS chartered nonpublic school to forgo the end-of-course exams if it administers an alternative assessment that may be used as an additional pathway for high school graduation, and applies this exemption to all students in the school, including students attending under a state scholarship program.
- Applies to non-ISACS schools only, instead of all chartered nonpublic schools as under prior law, the separate exemption from administering the end-of-course exams if the school publishes the results of the college and career readiness assessments that must be administered to its students.
- Maintains the scholarship eligibility of a student attending a non-ISACS school that elects to forgo the end-of-course exams, provided that the student continues to satisfy all other conditions of the student's scholarship program.
- Creates an additional pathway for high school graduation for students of a non-ISACS school by authorizing such a student to graduate if the student attains a designated score on an alternative assessment approved by the Department and selected by the school.
- Beginning with the 2015-2016 school year, requires the reading skills assessments administered under the third-grade reading guarantee to be completed annually by September 30 for grades 1 to 3, and by November 1 for kindergarten.

### **State report cards**

- Requires the State Board to establish proficiency percentages to meet each report card indicator that is based on a state assessment, and sets deadlines by which the proficiency percentages must be established.
- Makes permissive, rather than mandatory as under prior law, the development of the high school student academic progress measure by the State Board.

- Prohibits the grade for the high school student academic progress measure, if developed by the State Board, from being reported sooner than the 2017-2018 school year.
- Prohibits the high school academic progress measure from being included in determining a district or school's overall report card grade.
- Extends through the 2016-2017 school year the provision, previously in effect for 2014-2015 only, that prohibits the Department from assigning an overall letter grade for a school district or school.
- Extends the following prohibitions, which already apply to the state elementary-level achievement assessments and high school end-of-course exams administered in the 2014-2015 school year, to those administered in 2015-2016 and 2016-2017:
  - The prohibition against using a student's score, at any time during a student's academic career, as a factor in any decision to (1) retain the student, (2) promote the student to a higher grade level, or (3) grant course credit; and
  - The prohibition against individual student score reports being released, except to the student's district or school or to the student or the student's parent or guardian.
- Prohibits school districts and schools from using the value-added progress dimension ratings from the 2014-2015 and 2015-2016 school years for:
  - Teacher and principal evaluations; or
  - Decisions regarding the dismissal, retention, tenure, or compensation of teachers and principals, unless the district or school collectively agrees with its teachers or principals to use the ratings for those purposes.
- Specifies that, for a teacher of a grade level and subject area for which the value-added progress dimension applies and if no other measure is available to determine student academic growth, the teacher or principal's evaluation must be based solely on teacher or principal performance.
- Requires the Department to request a federal waiver from provisions of the "No Child Left Behind Act of 2001," to account for the act's prohibition against using the value-added ratings for conducting teacher and principal evaluations administered in the 2014-2015 and 2015-2016 school years.
- Extends the deadline for the 2014-2015 state report card from September 15, 2015, to January 15, 2016.
- Extends until January 31, 2016, the deadline for the separate reports regarding students with disabilities for the 2014-2015 school year.



- Requires each school district and school to report to the Department the number and percentage of students who did not take a state achievement assessment administered in the 2014-2015 school year and who were not excused from taking it.
- Prohibits, for the 2014-2015 school year only, the Department from ranking school districts, community schools, and STEM schools according to academic performance measures.
- Sets a deadline of January 31, 2016, for the Department to rank districts, community schools, and STEM schools according to expenditures for the 2014-2015 school year.

### **Educator licensing**

- Modifies the required components of the Ohio Teacher Residency (OTR) program and requires that one of the measures of progression through the program be the performance-based assessment required by the State Board for resident educators.
- Prohibits career-technical educators from being required to complete the conditions of the first two years of the OTR program.
- Requires the State Board, by July 1, 2016, to adopt rules that exempt consistently high-performing teachers from (1) the requirement to complete additional coursework to renew an educator license and (2) any related requirement prescribed by the district's or school's local professional development committee.
- Modifies the duration for which a pupil-activity program permit is valid by specifying that, if the applicant holds an educator license, the permit is valid for the same number of years as the individual's educator license.
- Prohibits the State Board from requiring any fee to be paid for a license, certificate, or permit issued for the purpose of teaching in a Junior ROTC program.
- Requires the State Board to issue an alternative principal license or an alternative administrator license to an individual who (1) successfully completes the Bright New Leaders for Ohio Schools program and (2) satisfies State Board rules.
- Removes a requirement that the Ohio State University Fisher College of Business serve as fiscal agent for the corporation that implements the Bright New Leaders for Ohio Schools program.

### **Evaluation of school counselors**

- Requires the Educator Standards Board to develop standards for school counselors.
- Requires the State Board to develop, by May 31, 2016, a standards-based framework for the evaluation of school counselors that aligns with the standards adopted by the Educator Standards Board and distinguishes ratings of accomplished, skilled, developing, and ineffective.



- Requires each school district board to adopt, by September 30, 2016, a standards-based school counselor evaluation policy that conforms to the framework developed by the State Board and includes procedures for implementing the framework and using evaluation results.
- Requires each district board to annually report to the Department regarding implementation of its school counselor evaluation policy.

### **Alternative framework for teacher evaluations**

- Modifies the alternative framework for teacher evaluations, beginning with the 2015-2016 school year, by increasing (to 50%) the teacher performance measure, decreasing (to 35%) the student academic growth measure, and permitting districts and schools to use specified components for the remainder.

### **Waivers**

- Authorizes community schools, in addition to school districts and STEM schools under continuing law, to request from the state Superintendent a waiver for up to five school years from (1) administering the state-required achievement assessments, (2) teacher evaluations, and (3) reporting student achievement data for report card ratings.
- Specifies that school districts, community schools, and STEM schools may submit a request for a waiver during the 2015-2016 school year only.
- Limits, to ten, the total number of school districts, community schools, and STEM schools that may be granted a waiver, based on requests received during the 2015-2016 school year.
- Removes a provision requiring a school district to be a member of the Ohio Innovation Lab Network to be eligible to request a waiver.
- Removes STEM schools' presumptive eligibility for being granted a waiver.
- Removes a provision specifying that a district's or school's waiver application that includes an overview of its alternative assessment system must include "links to state-accepted and nationally accepted metrics, assessments, and evaluations."
- Revises the timing of the decision by the state Superintendent on whether to approve or deny a waiver or to request additional information from "not later than 30 days after receiving a request for a waiver" to "upon receipt of a request."
- Defines "innovative educational program or strategy," for purposes of a waiver, as a program or strategy that uses a new idea or method aimed at increasing student engagement and preparing students to be college or career ready.

**Scholarship programs**

- Increases the maximum Educational Choice (Ed Choice) scholarship that may be awarded to a K-8 student from \$4,250 to \$4,650, and to a high school student from \$5,000 to \$5,900 for the 2015-2016 school year and to \$6,000 thereafter.
- Changes the basis for the Ed Choice scholarship according to performance index score ranking of a student's assigned district building, from a ranking based on the performance index scores of all public schools to a ranking based on the scores of all buildings operated by school districts.
- Revises the qualifications of nonpublic high schools located outside of the Cleveland Municipal School District to participate in the Cleveland Scholarship Program.
- Removes the limit on the number of Cleveland scholarships that may be awarded to students who were already enrolled in a nonpublic school when they applied for the scholarship.
- Increases the maximum scholarship awarded under the Autism Scholarship Program from \$20,000 to \$27,000.
- Increases the maximum scholarship awarded under the Jon Peterson Special Needs Scholarship Program from \$20,000 to \$27,000.

**College Credit Plus (PARTIALLY VETOED)**

- Specifically permits students to participate in the College Credit Plus (CCP) program during the summer term of a college.
- Would have required all public and participating private and out-of-state colleges to offer an associate degree pathway under the CCP program (VETOED).
- Would have specifically prohibited any requirement of the CCP program, or any rule adopted by the Chancellor or the State Board for the program, from applying to a chartered nonpublic school that chose not to participate in the program (VETOED).
- Removes the end date of July 1, 2016, with regard to the exemption from the CCP program for career-technical education programs that grant articulated credit to students, but specifies that any portion of such a program that grants transcribed credit must be governed by the CCP program.
- Requires the CCP program to be the sole mechanism by which state funds are paid to colleges for students to earn transcribed credit for college courses while enrolled in high school and college.
- Requires the Chancellor and the state Superintendent to include, in each biennial report on the CCP program, an analysis of quality assurance measures related to the program.

**Math curriculum for career-technical students**

- Permits students who enter the ninth grade for the first time on or after July 1, 2015, who are pursuing a "career-technical instructional track" to take a career-based pathway mathematics course as an alternative to Algebra II.

**Credit based on subject area competency**

- Requires the State Board, by December 31, 2015, to update its statewide plan on subject area competency to include methods for students enrolled in seventh and eighth grade to meet curriculum requirements based on such competency.
- Requires school districts and community schools, beginning with the 2017-2018 school year, to comply with the updated plan and to permit students to meet curriculum requirements accordingly.
- Requires the Department to inform students, parents, and schools of the updated plan.

**Competency-Based Education pilot**

- Establishes the Competency-Based Education Pilot Program to provide grants to public schools for designing and implementing competency-based models of education during the 2016-2017, 2017-2018, and 2018-2019 school years.
- Requires public schools that wish to participate in the program to submit an application to the Department by November 1, 2015.
- Requires the Department to select, by March 1, 2016, not more than five participants, and to award each participant a grant of up to \$200,000 for each fiscal year of the biennium.
- Requires each participant to satisfy specified requirements for the competency-based education offered and to agree to an annual performance review conducted by the Department.
- Requires the Department to post two reports on its website regarding the program, the first by January 31, 2017, and the second by December 31, 2018.

**GED tests**

- Specifies that a person may take the tests of general educational development (GED), if the person (1) is or was home-schooled, (2) is excused from attending school due to a physical or mental condition, (3) is moving or has moved out of Ohio, or (4) has an extenuating circumstance.
- Requires a person who is at least 16 but less than 18 years old, when applying to the Department for permission to take the GED tests, to include a high school transcript containing specified information.

- Requires a person who is under 18 and who is approved to take the GED tests to remain enrolled in school and maintain at least a 75% attendance rate until the person (1) passes all required sections of the GED, or (2) reaches age 18.
- Specifies that, for the purpose of calculating graduation rates for districts and schools on the state report cards, the Department must include any person who withdraws from school to take the GED tests as a dropout.
- Specifies that a person who fails to attain the required scores on the GED tests must (1) retake only the specific test on which the person did not attain a passing score, and (2) pay only for the cost of the specific test that must be retaken.

### **Education of older students**

- Changes the name of the Adult Career Opportunity Pilot Program to the Adult Diploma Pilot Program and makes changes in the program's administration.
- Modifies separate provisions of law that permit an individual 22 or older who has not received a high school diploma or equivalence certificate to enroll in certain types of public schools and public two-year colleges for the purpose of earning a high school diploma.

### **Out-of-state STEM school students**

- Permits a STEM school to admit out-of-state students and requires the school to charge tuition for those students.

### **Diplomas for home-schooled and nonchartered nonpublic school students**

- Specifies that a home-schooled student may be granted a high school diploma by the student's parent, guardian, or custodian and prescribes requirements for the diploma.
- Specifies that a person who has graduated from a nonchartered nonpublic school in the state and who has successfully fulfilled that school's high school curriculum may be granted a high school diploma by the governing authority of that school.

### **Student health services**

- Specifically permits public schools to contract with a hospital, an appropriately licensed health care provider, a federally qualified health center, or a federally qualified health center look-alike to provide health services to students.
- Specifies that the employees of contract entities providing the services of a nurse are not required to obtain a school nurse license or school nurse wellness coordinator license, but must hold a credential equivalent to that of a registered nurse or licensed practical nurse.

## Student transportation

- Specifies that a school district is not required to transport students to and from a nonpublic or community school on weekends absent an agreement to do so that was entered into before July 1 of the school year in which the agreement takes effect.
- Clarifies that a community school that takes over responsibility to transport its students to and from school may determine that it is impractical to transport a student using the same procedures, requirements, and payment structure that a school district uses to determine impracticality.
- Removes a provision requiring a school district to submit a resolution declaring impracticality of transportation to the educational service center that contains the district's territory.
- Creates the School Transportation Joint Task Force to study transportation of students to public and nonpublic schools and requires it to make recommendations to the General Assembly by February 1, 2016.

## Other provisions

- Specifically permits the state Superintendent to form partnerships with Ohio's business community to create and implement initiatives that connect students with the business community to increase student engagement and job readiness.
- Repeals the law that required certain school districts with total student counts of 5,000 or more to designate one school building to be operated by a site-based management council.
- Changes the term of office of a joint vocational school district board member to one year, if that member is appointed on a rotating basis by members of the board when there is an even number of member districts under a plan on file with the Department.
- Requires that, if a joint vocational school district gains territory on or after January 1, 2015, due to a specified transfer of the entire territory of a "local" school district to another, contiguous "local" school district, then that JVSD must enter into a two-year transition agreement with the JVSD that lost the territory.
- Permits the state Superintendent to adopt guidelines identifying the circumstances in which the Department, after consulting with the lead district of a career-technical planning district, may approve or disapprove a career-technical education program after the prescribed deadline.
- Prohibits the assessment against any client school districts of an educational service center (ESC) that is abolished by July 1, 2015, of any indebtedness to the Department for expenses related to the dissolution that exceed the ESC's available assets.

- Prohibits a school district or school from altering, truncating, or redacting any part of a student's record so that any information is rendered unreadable or unintelligible during the course of transferring that record to an educational institution for a legitimate educational purpose.
- Abolishes the Healthy Choices for Healthy Children Council.
- Modifies a provision permitting school districts to contract with public and private entities to provide academic remediation and intervention services outside of regular school hours by expanding eligibility for services to students in any grade.
- Permits the State Board to establish an annual Teacher of the Year program, and allows a teacher so recognized to receive a gift or privilege as part of the program and a person or entity to make a voluntary contribution to the program.

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## **OHIO ELECTIONS COMMISSION**

- Allows a nonprofit corporation that is a tax-exempt business organization to transfer contributions received as part of regular dues payments from its unincorporated member businesses to its political action committee (PAC).
- Requires the PAC to itemize those contributions and allocate them to individuals in its campaign finance filings.

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **Extension of E-Check**

- Authorizes the extension of the motor vehicle inspection and maintenance program (E-Check) through June 30, 2021, in counties for which a program is federally mandated.
- Retains the requirement that the new contract ensure that the program achieves at least the same emissions reductions as achieved by the program under the contract that was extended.
- Retains the requirement under which the Director of Administrative Services must use a competitive selection process when entering into a new contract with a vendor.
- Also retains all statutory requirements governing the program, including that it must be a decentralized program and must include a new car exemption.

**Waste Management Fund**

- Renames the Solid Waste Fund as the Waste Management Fund, and does all of the following with regard to the Fund's uses:
  - Eliminates its use for providing compliance assistance to small businesses and paying a share of the administrative costs of the Environmental Protection Agency (EPA);
  - Retains its use for the other purposes specified in continuing law; and
  - Adds that it must be used to address violations of the Air and Water Pollution Control Laws at facilities regulated under the Solid, Hazardous, and Infectious Wastes Law.
- Eliminates the Construction and Demolition Debris Facility Oversight Fund, credits the money that was credited to that Fund to the Waste Management Fund, and retains the use of that money exclusively for administration and enforcement of the Construction and Demolition Debris Law and rules.
- Eliminates the Infectious Waste Management Fund and does the following:
  - Credits the money that was credited to it to the Waste Management Fund; and
  - Requires, rather than authorizes, the Director of Environmental Protection to use that money exclusively to administer and enforce the infectious waste provisions of the Solid, Hazardous, and Infectious Wastes Law and rules.

**Solid waste fees**

- Extends the expiration of four state fees levied on the transfer or disposal of solid wastes from June 30, 2016, to June 30, 2018.
- Retains the aggregate amount of those fees at \$4.75, and reallocates several of the individual fees and their uses.

**Tire fees**

- Extends from June 30, 2016, to June 30, 2018, the expiration of:
  - The 50¢ per-tire fee on the sale of tires, the proceeds of which are used to fund the scrap tire management program; and
  - An additional 50¢ per-tire fee on the sale of tires, the proceeds of which are credited to the Soil and Water Conservation District Assistance Fund.

**Materials Management Advisory Council**

- Merges the Solid Waste Advisory Council with the Recycling and Litter Prevention Advisory Council, and renames the merged Council the Materials Management Advisory Council.



- Generally transfers the two Councils' duties and responsibilities to the new Council, and adds the following duties:
  - Triennially providing advice to the Director of Environmental Protection in conducting a review of progress toward achieving the objectives, restrictions, and goals of the state solid waste management plan;
  - Submitting an annual report to the General Assembly on the state's solid waste management system and efforts towards achieving the goals, restrictions, and objectives;
  - Researching and responding to questions posed by the Director; and
  - Developing partnerships that foster a productive marketplace for the collection and use of recycled materials.
- Requires the Governor to appoint the members of the new Council, who must represent specified interests.

#### **Source separated recyclable materials**

- Authorizes source separated recyclable materials to be taken to any legitimate recycling facility rather than only to a facility designated by a solid waste management district.

#### **Transfer of Storm Water Management Program**

- Transfers the Storm Water Management Program from DNR to EPA.
- Authorizes the Director of Environmental Protection, in effecting the transfer, to develop technical guidance and offer technical assistance to minimize wind or water erosion of soil and assist in compliance with permits for storm water management.

#### **Study of nutrient loading to Ohio watersheds**

- Authorizes the Director to study and calculate nutrient loading to watersheds in the Lake Erie and Ohio River basins from point and nonpoint sources.
- Requires the Director or the Director's designee, in order to evaluate nutrient loading contributions, to use available data, including data on water quality and stream flow and point source discharges into those watersheds.
- Requires the Director or designee to report and update the study's results to coincide with the release of the Ohio Integrated Water Quality Monitoring and Assessment Report.

#### **Extension of air and water fees**

- Extends all of the following 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; and
- 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.

### **Shale and clay products**

- Prohibits a person from using, managing, or disposing of certain structural products created from clay or shale in a manner resulting in any of specified occurrences, including:
  - An exceedance of a water quality standard;
  - An exceedance of a primary or secondary maximum contaminant level established for safe drinking water purposes; or
  - An emission of an air contaminant.
- Generally prohibits a person from placing, accumulating, or storing for further processing structural products in specified locations, including within the boundaries of a sole source aquifer.
- Authorizes the Director or the Director's authorized representative to enter property to inspect and investigate conditions or examine records relating to alleged noncompliance with the above prohibitions and to apply for a warrant permitting the entrance and inspection or examination.
- Excludes certain shale and clay products from regulation as solid wastes under the Solid, Infectious, and Hazardous Wastes Law.

**Isolated wetlands permits**

- Revises the statutes governing permits for impacts to isolated wetlands by:
  - Defining "preservation" as the long-term protection, rather than protection in perpetuity, of ecologically important wetlands through the implementation of appropriate legal mechanisms to prevent harm to the wetlands; and
  - Requiring a permit applicant to demonstrate that the mitigation site will be protected long term rather than in perpetuity.

**Section 401 water quality certification**

- Requires data sufficient to determine the existing aquatic life use, rather than a use attainability analysis, to accompany an application for a section 401 water quality certification if the project involves a stream for which a specific aquatic life use designation has not been made.
- Requires the mitigation proposal contained in an application for a section 401 water quality certification to include the proposed real estate instrument or other available mechanism for protecting the property long term rather than the legal mechanism for protecting the property in perpetuity.
- Authorizes the Director to establish a program and adopt rules to certify water quality professionals to assess streams to determine existing aquatic life use and to categorize wetlands in support of applications for section 401 water quality certification and isolated wetland permits.
- Requires the Director to use information submitted by certified water quality professionals in reviewing such applications.
- Specifies matters that the Director's rules must address, including experience requirements for applicants, an annual certification fee, suspension and revocation of certifications, and technical standards to be used by certified water quality professionals in conducting stream assessments and wetlands categorizations.

**Enforcement of Water Pollution Control Law**

- Increases criminal penalties for certain violations of the Water Pollution Control Law, and establishes culpable mental states regarding certain violations.
- Provides that if a person is convicted of or pleads guilty to any violation of that Law, the sentencing court may order the person to reimburse the state agency or a political subdivision for any actual response costs, including addressing impacts to aquatic resources.

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## OHIO ETHICS COMMISSION

- Changes, from April 15 to May 15, the deadline for public officials and employees to file financial disclosure statements with the appropriate ethics commission.
- Alters the deadline by which an ethics commission that adopts a rule requiring a class of public officials or employees to file statements must notify them of the filing requirement.
- Makes confidential the financial disclosure statements filed by members of the Board of Trustees and the Executive Director of the Southern Ohio Agricultural and Community Development Foundation.

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## OHIO FACILITIES CONSTRUCTION COMMISSION

### Declaration of public exigency

- Expands the authority of the Executive Director of the Ohio Facilities Construction Commission (OFCC) to declare a public exigency regarding any public works.
- Allows the Executive Director to declare a public exigency upon the request of a state institution of higher education or any other state instrumentality.

### Cultural facilities cooperative use agreements

- Renames a "cooperative contract" under the Public Works Law a "cooperative use agreement."
- Specifies, when an Ohio sports facility is financed in part by state bonds, that construction services must be provided on the state's behalf or at the direction of the governmental agency or nonprofit corporation that will own or manage the facility.
- Specifies that the construction services must be specified in a cooperative use agreement between the OFCC and the governmental agency or nonprofit corporation.
- Exempts the cooperative use agreement and actions taken under it from the Public Works and Public Improvements Laws, but subjects the agreement and actions to phases of those laws relating to cultural facilities and the use of domestic steel and to the Prevailing Wage Law.
- Specifies that a cooperative use agreement must have a provision requiring a cultural project to be completed and ready to "support culture," rather than completed and "ready for full occupancy."

- Expands the definition of "governmental agency" in the Public Works Law to include state agencies and state institutions of higher education.

### **State agency bid specifications requiring project labor agreements**

- Requires a state agency to hold a public hearing before issuing bid specifications for a proposed public improvement that require a contractor or subcontractor to enter into a project labor agreement.
- Requires the state agency to decide whether to include that requirement in the bid specifications not earlier than 30 days after the hearing.

### **State-financed historical facilities**

- Specifies that a cultural organization financing a historical facility project with state money may use not more than 3% of the money to pay its cost of administering the project.

### **Surety bonds**

- Transfers from the Director of Administrative Services to the Executive Director authority to adopt rules regarding certain surety bonds.

### **Electronic bids**

- Allows a public bid guaranty to be provided by means of an electronic verification and security system.
- Limits the ability to broadcast a public bid opening by electronic means to only bids that are filed electronically.
- Eliminates the requirement that submitted bids be tabulated on duplicate sheets.

### **Energy and water conservation**

- Clarifies that the Executive Director has authority to enter into energy or water conservation contracts on the Executive Director's own initiative or at the request of a state agency.

### **School Facilities Commission (SFC)**

- Provides that the new conditional approval of a district's project scope and basic project cost, after a lapse of a previous conditional approval, are valid for 13 months, rather than one year as under prior law.
- Permits certain funds appropriated to SFC for classroom facilities projects that were not spent or encumbered during the first year of each biennium to be used for various SFC programs.
- Permits a school district, educational service center, or community school to enter into a lease-purchase agreement for the construction or improvement and eventual

acquisition of "facilities or improvements to facilities," rather than just "buildings" as under prior law.

- Requires that a lease-purchase agreement must provide for a series of one-year renewable lease terms totaling not more than the number of years equivalent to the useful life of the asset, but not to exceed 30 years.
- Requires SFC, in consultation with the Office of Budget and Management, to prepare a study of the benefits and risks associated with a school district funding its share of an SFC project with cash-on-hand resulting from a lease-purchase agreement.
- Eliminates the Education Facilities Trust Fund and the Ohio School Facilities Commission Fund.
- Requires SFC to provide funding to a "qualifying partnership" of school districts that are part of a career-technical education compact in acquiring classroom facilities for a joint STEM education program.
- Authorizes a "qualifying partnership," subject to voter approval, to levy a property tax for up to ten years to pay its portion of the facilities cost for the joint STEM program.
- Permits SFC to provide grants to (1) high-performing community schools that satisfy specified conditions or (2) newly established community schools implementing a community school model that has a track record of high quality academic performance, as determined by the Department of Education.

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## GOVERNOR

- Requires messages of the Governor, and the inaugural address of the Governor-elect, to be produced and distributed in electronic, rather than pamphlet, form and requires that a physical copy be provided upon request to recipients of electronic copies.

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## DEPARTMENT OF HEALTH

### State-level review of child deaths

- Requires the Ohio Department of Health (ODH) Director to establish guidelines for the state-level review of deaths of children under age 18.

- Allows the Director to access certain information when reviewing a death, provides immunity from civil liability to persons participating in a review, and prohibits the dissemination of confidential information gathered during a review.

### **Distributions from the "Choose Life" Fund**

- Authorizes the Director to distribute money in the "Choose Life" Fund that is allocated to a county to an eligible organization located in a noncontiguous county, so long as:
  - No eligible organization located within the county to which the money is allocated or a contiguous county has applied for the money; and
  - The eligible organization from the noncontiguous county provides services within the county to which money is allocated.

### **ASF variance determination deadline**

- Requires the Director to grant or deny a written transfer agreement variance to an ambulatory surgical facility (ASF) not later than 60 days after the ASF submits a variance application.
- Provides that if the Director has not made a determination on an ASF's variance application after 60 days, the variance is denied and the ASF's license to operate is automatically suspended.
- Provides that the Director may reinstate the ASF's license if it obtains a written transfer agreement, a variance, or an order issued in accordance with the Administrative Procedure Act requiring the license to be reinstated.
- Requires a facility that desires to operate as an ASF to apply for a new license, if its existing license expires during the suspension.
- Requires the Director to grant or deny all variance applications pending on September 29, 2015, and provides that an application is considered denied if not granted within 60 days after that date.

### **Local hospital location for an ASF**

- Provides that a "local hospital" may not be further than 30 miles from the ASF:
  - With which the local hospital has a written transfer agreement; or
  - Whose consulting physicians under a variance from the transfer agreement requirement have admitting privileges at the local hospital.

### **Bloodborne infectious disease prevention programs**

- Authorizes a board of health to establish a bloodborne infectious disease prevention program to reduce the transmission of HIV, hepatitis B, and hepatitis C.

- Requires a board of health to consult with specified interested parties before establishing a prevention program.
- Authorizes a board of health to determine a prevention program's operation and participants and requires a prevention program to provide certain screening, education, and referrals for care and services.
- Specifies that the local governing authority of the area where a prevention program is located retains all zoning rights.
- Provides immunity from criminal prosecution to employees, volunteers, and participants of prevention programs.

### **Physician, Dentist Loan Repayment programs**

- Modifies the limit on the amount of state funds that may be repaid on behalf of a physician under the Physician Loan Repayment Program or a dentist under the Dentist Loan Repayment Program.
- Includes providing clinical education in the teaching activities that count toward the service hours of a participating dentist.

### **Vital records**

- Repeals a provision that (1) required birth, fetal death, and death records and certificates to be printed legibly or typewritten in unfading black ink and (2) prohibited facsimile signatures.
- Permits signatures on records, certificates, and reports authorized under the Vital Statistics Law to be made by photographic, electronic, or other means prescribed by the Director.
- Requires a local registrar to allow an individual to photograph or otherwise copy a birth or death record.

### **Newborn screening for Krabbe disease**

- Generally requires each child born on or after July 1, 2016, to undergo certain testing for Krabbe disease as part of ODH's Newborn Screening Program.
- Specifies that the Krabbe disease screening requirement does not apply to a child whose parents forgo the screening.

### **Health care transparency (VETOED)**

- Would have required hospitals to either provide patients with an estimated out-of-pocket cost for certain common services or enable the patient to obtain this information from the patient's insurer (VETOED).



- Would have created a committee to study the impact and feasibility of requiring health services providers to provide estimates of a consumer's out-of-pocket cost for common products, procedures, and services (VETOED).

### **Hope for a Smile Program (VETOED)**

- Would have established the Hope for a Smile Program with a specified primary objective of improving the oral health of school-age children, particularly those who are indigent and uninsured (VETOED).
- Would have required the Director to secure, maintain, and operate a bus as a mobile dental unit (VETOED).
- Would have created a state income tax deduction, to be used by a dentist or dental hygienist, equal to the fair market value of services provided for free under the program (VETOED).

### **Legislative Committee on Public Health Futures**

- Re-establishes the Legislative Committee on Public Health Futures.
- Requires the Committee to review the effectiveness of previous reports, and to make legislative and fiscal policy recommendations that would improve local public health services.

### **Infant mortality data collection and report**

- Requires the Director to prepare an annual report on (1) identified government programs that have the goal of reducing infant mortality and negative birth outcomes or the goal of reducing disparities among women who are pregnant or capable of becoming pregnant and who belong to a racial or ethnic minority, and (2) data collected from birth certificates.
- Requires the identified government programs to provide data for the first part of the report.

### **Violation of smoking prohibitions**

- Requires ODH to adopt rules prescribing fines for violations committed by retail tobacco stores regarding filings with ODH for exemption from smoking prohibitions.
- Specifies that such a violation is not included in the progressive fine schedule created by ODH.

### **Other provisions**

- Creates the Moms Quit for Two Grant Program to provide grants to private, nonprofit entities or government entities to deliver evidence-based tobacco cessation

interventions to pregnant women and women living with children who reside in communities with high infant mortality.

- Specifies that, beginning January 1, 2016, ODH will no longer provide GRF-funded vaccines from appropriation line item 440418, Immunizations, except in specified circumstances.
- Permits (rather than requires) hospitals to offer uterine cytological exams (pap smears) to female inpatients who are at least 21 (rather than 18) years old and establishes record-keeping requirements.
- 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.
- Creates in the state treasury the Public Health Emergency Preparedness Fund, and requires ODH to use money in the Fund to pay expenses related to public health emergency preparedness and response activities.

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## **DEPARTMENT OF HIGHER EDUCATION (BOARD OF REGENTS)**

### **Board of Regents name change**

- Renames the office of the Board of Regents as the "Department of Higher Education." (Retains the title of "Chancellor" as the title for the head of the agency, and retains the 11-member Board of Regents as an advisory board to the Chancellor.)

### **Tuition and fees**

- For FY 2016 and FY 2017, prohibits an increase in in-state undergraduate instructional and general fees for all state institutions of higher education, except a state university that establishes an undergraduate tuition guarantee program.
- Requires state institutions of higher education to develop and implement a plan to provide all in-state, undergraduate students the opportunity to reduce the student cost of earning a degree by 5%.
- Beginning with the 2015-2016 academic year, requires state institutions of higher education to annually report to the Chancellor any increase in, or addition of, auxiliary fees and the justification for it.
- Qualifies a veteran for in-state tuition at a state institution of higher education if the veteran (1) is receiving federal veterans' education benefits under the G.I. Bill, (2) served on active duty for at least 90 days, and (3) lives in the state as of the first day of a term of enrollment.

- Qualifies a person for in-state tuition at a state institution of higher education if the person (1) is receiving certain federal veterans' education benefits from a veteran who served on active duty for at least 90 days, and (2) lives in the state as of the first day of a term of enrollment.
- Prohibits state institutions of higher education from charging overload fees for courses taken in excess of the institution's full course load, except in specified circumstances.
- Specifies in permanent law that no other statutory limitation on the increase of in-state undergraduate instructional and general fees applies to a state university that has established an undergraduate tuition guarantee program.
- Requires the Chancellor to establish the Ohio Higher Education Innovation Grant Program to promote educational excellence and economic efficiency to stabilize or reduce student tuition through grants to state and private institutions of higher education.

### **Transfer of college courses and associate degrees**

- Requires the Chancellor to update, by December 1, 2018, policies for the transfer and articulation of college courses and degrees to ensure that any associate degree offered at a state institution of higher education may be applied to a bachelor degree program at any other state institution.
- Requires the Chancellor, at the end of each academic year, to release a report regarding the transfer of college courses and degrees at state institutions.

### **College credit for International Baccalaureate courses**

- Requires each state institution of higher education to establish a policy to grant credit for successful completion of the International Baccalaureate Diploma Program (IB).

### **OSU student trustee voting power**

- Requires the board of trustees of the Ohio State University to adopt a resolution to grant or not grant voting power to student members.
- Prohibits a student from being disqualified as a voting student trustee on the basis that the student receives financial aid or is employed in certain student employment positions.
- Exempts voting student trustees from the law that disqualifies trustees from holding faculty or other positions at the university when the compensation is paid from the state treasury or a university fund.

**STEM Public-Private Partnership pilot**

- Establishes the STEM Public-Private Partnership Pilot Program to encourage public-private partnerships between high schools, colleges, and the community in order to provide students with education and training in a targeted industry.
- Requires the Chancellor to (1) adopt rules for the program, (2) to administer the program, and (3) select five partnerships to participate in the program.
- Provides a grant of \$150,000 for each partnership selected for participation, which must be used for transportation, classroom supplies, and primary instructors.

**On-campus student housing**

- Prohibits a state university from requiring a student who lives within 25 miles of campus to live in on-campus student housing.

**Reports**

- Moves, from December 31 to February 15, the annual deadline for the Chancellor to report to the Governor and the General Assembly the aggregate academic growth data for students taught by graduates of teacher preparation programs.
- Eliminates a requirement that the Chancellor annually prepare and post online a report describing advanced standing courses offered by public and chartered nonpublic schools.
- Requires each state institution of higher education, by January 1, 2016, and every five years thereafter, to evaluate, based on enrollment and student performance, all courses and programs the institution offers.
- Requires the University of Toledo's Human Trafficking and Social Justice Institute, in conjunction with other state universities, to develop and submit a plan by January 31, 2016, to address human trafficking.

**Response to Task Force report (PARTIALLY VETOED)**

- Requires all state institutions of higher education, upon submission of the report of the Task Force on Affordability and Efficiency in Higher Education, to complete an efficiency review based on the report and to provide a report to the Chancellor that describes how it will implement the recommendations and other cost savings measures.
- Would have specified that no recommendation of the Task Force could be implemented without the approval of the General Assembly or the enactment by the General Assembly of any required changes in Ohio law (VETOED).

## Other provisions

- Establishes the Ohio Appalachian Teaching Fellowship.
- Eliminates the requirement that the Ohio University College of Osteopathic Medicine have an advisory committee.
- Stipulates that any OSU Extension policy or guideline requiring 4-H volunteers to be fingerprinted must require only individuals who become volunteers on or after September 29, 2015, to be fingerprinted and to be fingerprinted only once.
- Requires the Chancellor, in consultation with state and private nonprofit institutions of higher education, to develop implementation strategies regarding career counseling.
- Prohibits a state institution of higher education from providing excess health benefits to an employee that would trigger the excise tax on the plans under federal law.
- Makes changes regarding the administration of scholarship program reserve funds.

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## DEPARTMENT OF INSURANCE

### Multiple employer welfare arrangements

- Expands entities eligible to form a multiple employer welfare arrangement (MEWA) to include a chamber of commerce, a tax-exempt voluntary employee beneficiary association or business league, or any other association specified in rule by the Superintendent of Insurance.
- Extends from one year to five years the time frame a group must have been organized and maintained before registering as a MEWA.
- Increases the required minimum surplus for MEWAs from \$150,000 to \$500,000.
- Specifies that a MEWA is subject to the risk-based capital requirements for life or health insurers.
- Permits a MEWA to send notice of involuntary termination to a member by any manner permitted in the agreement, instead of only by certified mail.
- Prohibits a MEWA's stop-loss insurance policy from engaging in specified actions with respect to covered individuals.
- Prohibits a MEWA from enrolling a member in its group self-insurance program until it has notified the member of the possibility of additional liability if the MEWA has insufficient funds.
- Requires MEWAs to annually file an actuarial certification with the Superintendent.

**Use of genetic information by insurers**

- Prohibits public employee benefit plans and MEWAs from using genetic information in relation to reviewing applications, determining insurability, determining benefits, or setting premiums.
- Expands the prohibition against health insuring corporations and sickness and accident insurers using genetic information for specified purposes to include the setting of premiums.

**Surplus lines affidavit**

- Replaces the surplus lines affidavit required for every insurance policy placed in the surplus lines market with a signed statement serving a similar purpose that does not need to be notarized.

**Continuing education for insurance agents**

- Modifies the continuing education requirements for licensed insurance agents to specify that an agent must complete at least 24 hours of continuing education for each licensing period.

**Innovative waiver, health insurance coverage**

- Requires the Superintendent to apply for a federal waiver authorized by the federal Patient Protection and Affordable Care Act of 2010 to establish a system that provides access to affordable health insurance coverage for Ohio residents.
- Requires the Superintendent to include in the application a request for waivers of the federal employer and individual mandates established by the federal Act.

**Pharmacy benefit managers, maximum allowable cost**

- Requires pharmacy benefit managers to be licensed as third-party administrators.
- Places requirements relating to maximum allowable cost on contracts between pharmacy benefit managers and plan sponsors.
- Prescribes disclosure requirements for health benefit plans offered through an exchange.
- Permits the Superintendent to assess a fine against a pharmacy benefit manager if the pharmacy benefit manager commits fraud or violates any of the act's requirements pertaining to pharmacy benefit managers.

**Health insurer required provision of information**

- Requires insurers offering health benefit plans through an Exchange to make available a list of the top 20% of services and an insured's expected contribution for each service.

- Specifies that an insurer that does not provide the required information is committing an unfair and deceptive practice in the business of insurance.

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## **DEPARTMENT OF JOB AND FAMILY SERVICES**

### **Child support**

- Modifies the processing charge a court or administrative agency must impose on an obligor under a support order.
- Requires child support obligors ordered to seek work or participate in a work activity to register with OhioMeansJobs.
- Repeals the Uniform Interstate Family Support Act (UIFSA), as previously enacted in Ohio, and replaces it with the 2008 version of UIFSA to adopt the 2001 and 2008 recommended changes.

### **Adult protective services**

- Requires the Ohio Department of Job and Family Services (ODJFS) to maintain a statewide adult protective services information system.
- Requires each county department of job and family services to prepare a memorandum of understanding that establishes the procedures to be followed by local officials in cases of elder abuse, neglect, and exploitation.
- Adds immediate and irreparable financial harm as a basis for obtaining an emergency order for protective services that does not require 24-hour advance notice to the adult allegedly in need of protective services.
- Establishes procedures for obtaining an ex parte emergency protective services order.
- Requires a county department to refer a report of elder abuse, neglect, or exploitation it receives to one of a number of specified state agencies if the person who is the subject of the report falls under the agency's jurisdiction.
- Requires ODJFS to provide training on implementing the adult protective services statutes and to require all protective services caseworkers and their managers to complete the training.
- Modifies the definition of "exploitation" as that term is used in adult protective services statutes.

### **Child care**

- Makes various changes to definitions governing child day-care.



- Codifies the Step Up to Quality Program to require ODJFS and the Department of Education (ODE) to develop a tiered quality rating and improvement system for all Ohio early learning and development programs.
- Requires ODJFS and ODE to identify and implement ways to accelerate early learning and development programs' movement to higher tiers and to report their recommendations to the General Assembly.
- Requires the ODJFS Director to adopt rules establishing standards for minimum instructional time for child care facilities rated through the Step Up to Quality system.
- Consolidates ongoing provisions related to criminal records checks for child day-care centers, type A family day-care homes, licensed type B family day-care homes, and in-home aides and repeals duplicative provisions.
- Prohibits the Director from issuing or renewing a license for a type A home or type B home if a minor resident has been adjudicated a delinquent child for committing a disqualifying offense.
- Requires a center, type A home, or licensed type B home to request a criminal records check for each job applicant and employee, rather than only for applicants for and employees with positions involving responsibility for the care, custody, or control of a child.
- Adds offenses to the list that disqualifies a person from licensure or employment.
- Repeals provisions that specify child day-care center staff member training requirements, and instead requires the Director to adopt rules regarding training.
- Authorizes the Director to contract with a government or private nonprofit entity to conduct type A family day-care home inspections.
- Specifies that certain actions of the Director are not subject to the Administrative Procedure Act (R.C. Chapter 119.).
- Requires ODJFS to suspend, without prior hearing, the license of a child care facility under specified circumstances.
- Permits child-care staff members to furnish evidence of qualifications to a designee of the Director.
- Raises from 200% to 300% of the federal poverty line, the maximum income a family can have for initial and continued eligibility for publicly funded child care.
- Repeals a provision that prohibited a caretaker parent from being required to pay a fee for publicly funded child care that exceeds 10% of the parent's family income.



- Provides that a caretaker parent may not receive full-time publicly funded child care from more than one child care provider per child during a week unless the county department grants the parent an exemption.
- Specifies by year the percentage of children that must be served by early learning and development programs with specific quality ratings.
- Requires the Director to establish an hourly reimbursement ceiling for in-home aides who provide publicly funded child care, rather than a reimbursement ceiling that is 75% of the ceiling for type B family day-care homes.

### **Supplemental Nutrition Assistance Program (SNAP) and Ohio Works First (OWF)**

- Specifies that rules governing SNAP must be consistent with federal work and employment and training requirements and must provide for recipients to participate in certain work, developmental, and alternative work activities.
- Specifies that rules governing OWF must include requirements for work, developmental, and alternative work activities for OWF participants.

### **Ohio Healthier Buckeye Advisory Council**

- Requires the Ohio Healthier Buckeye Advisory Council to prepare an annual report of its activities.
- Repeals requirements that the Council recommend (1) criteria, application processes, and maximum grant amounts for the Healthier Buckeye Grant Program and (2) means to achieve coordination, person-centered case management, and standardization in public assistance programs.
- Requires the Council to (1) provide assistance establishing local healthier buckeye councils, (2) identify barriers and gaps to achieving greater financial independence and provide advice on overcoming those barriers and gaps, and (3) collect, analyze, and report performance measure information.

### **Local healthier buckeye councils**

- Authorizes boards of county commissioners to establish local healthier buckeye councils rather than county councils, and authorizes formation of joint local councils.
- Requires local councils to promote opportunities for individuals and families to maintain optimal health, and develop plans to promote that and other objectives.
- Requires each local council to submit its plan to its board of county commissioners and to the Ohio Council.
- Requires local councils to submit annual performance reports and other information to the Ohio Council.

- Requires local councils to report certain information to the Joint Medicaid Oversight Committee.

### **Healthier Buckeye Grant Pilot Program**

- Repeals the Healthier Buckeye Grant Program and establishes the Healthier Buckeye Grant Pilot Program to award grants to local healthier buckeye councils, individuals, and organizations in FY 2016 and FY 2017.
- Creates the Healthier Buckeye Fund in the state treasury during fiscal year 2016 and fiscal year 2017 from which the grants can be awarded.

### **Disability Financial Assistance**

- Permits ODJFS to contract with a state agency to make eligibility determinations for the Disability Financial Assistance Program.
- Requires ODJFS to pay the state agency's administrative costs to make those determinations.

### **Military Injury Relief Fund**

- Transfers from ODJFS to the Department of Veterans Services all duties relating to grants from the Military Injury Relief Fund.
- Expands the service members eligible to receive a grant from the Fund to include a service member injured while serving after October 7, 2001, or any service member diagnosed with post-traumatic stress disorder while serving, or after having served, after October 7, 2001.
- Requires the Director of Veterans Services to adopt rules necessary to administer the Military Injury Relief Fund Grant Program.

### **Administrative Funds**

- Renames the ODJFS General Services Administration and Operating Fund as the Audit Settlements and Contingency Fund, which is to consist of money transferred from any Fund used by ODJFS other than the GRF, and is to be used to pay for required audits, settlements, contingencies, and other related expenses.
- Permits the Director of Budget and Management to transfer money from the Audit Settlements and Contingency Fund to any Fund used by ODJFS or to the GRF.
- Creates the Unemployment Compensation Administrative Support Other Sources Fund, the Human Services Projects Fund, and the Workforce Development Projects Fund in the state treasury for use by ODJFS.

**Workforce Innovation and Opportunity Act**

- Requires the ODJFS Director to administer the Workforce Innovation and Opportunity Act (WIOA) during FY 2016 and FY 2017.

**Case Management and Employment Program (PARTIALLY VETOED)**

- Requires ODJFS, in consultation with the Governor's Office of Workforce Transformation, to create, coordinate, and supervise the Comprehensive Case Management and Employment Program (CCMEP) during FY 2016 and FY 2017, and requires CCMEP to serve participants beginning July 1, 2016.
- Requires that CCMEP, to the extent funds under the TANF block grant and WIOA are available, make certain employment and training services available to participants in accordance with comprehensive assessments of their employment and training needs.
- Requires work-eligible individuals between ages 16 and 24 to participate in CCMEP as a condition of participating in Ohio Works First (OWF).
- Permits OWF participants who are not work-eligible individuals and individuals receiving benefits and services under the Prevention, Retention, and Contingency Program (between 16 and 24) to volunteer to participate in CCMEP.
- Requires low-income adults, in-school youth, or out-of-school youth (between 16 and 24) who have barriers to employment to participate in CCMEP as a condition of enrollment in workforce development activities funded by the TANF block grant.
- Requires each board of county commissioners to designate, by May 15, 2016, either the county department of job and family services or workforce development agency (WDA) as the lead agency for purposes of CCMEP.
- Assigns to the lead agency certain duties, including the duty to administer CCMEP.
- Would have created an advisory board to submit an evaluation system for county departments' and WDAs' administration of CCMEP, and would have required an evaluation system approved by ODJFS to be in place by July 1, 2016 (VETOED).
- Requires ODJFS, in consultation with county departments and WDAs, to review the agencies' existing functions to discover opportunities for efficiencies so that CCMEP's capacity may be increased.

**County TANF funding allocation review**

- Requires ODJFS, by June 30, 2016, to complete a study of funding allocations to each county for programs funded by the TANF block grant in the most recently completed federal fiscal year.

- Requires the study to include a determination of the benefits and services provided in each county through the Prevention, Retention, and Contingency Program and other programs funded by the TANF block grant.

**Child placement level of care tool pilot program**

- Requires ODJFS to implement, evaluate, and seek federal and state funding for a pilot program in ten counties for use of a child placement level of care tool.
- Provides for the pilot program to begin not later than December 30, 2015, and to last no longer than 18 months after it begins.

**Therapeutic wilderness camps**

- Exempts private, nonprofit therapeutic wilderness camps from ODJFS certification required of other child caring institutions and associations, and from ODJFS regulations governing those entities.
- Requires the ODJFS Director to license private, nonprofit therapeutic wilderness camps that meet specified minimum standards.
- Prohibits the operation of a private, nonprofit therapeutic wilderness camp without a license.

**Children's Trust Fund Board**

- Divides the state into eight regions for the purpose of applying for, receiving, and implementing child abuse and child neglect services approved by the Children's Trust Fund Board (CTF Board).
- Eliminates child abuse and child neglect prevention advisory boards and creates child abuse and child neglect regional prevention councils for each region.
- Requires boards of county commissioners that oversee a child abuse and child neglect prevention advisory board to oversee the transfer of the advisory board's assets and liabilities and to complete or delegate any of its pending business.
- Requires the CTF Board to appoint a regional prevention coordinator to each region, selected by a competitive process conducted by the CTF Board.
- Removes the requirement that the CTF Board adopt a state plan for allocation of child abuse and child neglect prevention funds, and instead requires it to adopt a strategic plan and allocate funding to councils and children's advocacy centers.
- Modifies the requirements governing the award of one-time, start-up costs for children's advocacy centers.

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## JUDICIARY/SUPREME COURT

- Increases judicial salaries by 5% per year for calendar years 2016 through 2019, but begins the first increase on September 29, 2015.
- Changes the Division of Domestic Relations of the Stark County Court of Common Pleas to the Family Court Division.
- Requires a court, when considering whether to approve an applicant's Certificate of Qualification for Employment, to consider the applicant's military service and experience.
- Specifies that the Probate Law's requirement that every administrator or executor must render an account not later than 13 months after appointment does not apply if a partial account is waived.
- Subjects to certain conditions the distribution to injured parties and subrogees of recoveries in tort actions (PARTIALLY VETOED).
- Repeals the obsolete law creating the Ohio Subrogation Rights Commission.
- Corrects a mistaken cross-reference in the intervention in lieu of conviction law to a provision in the Crime Victims' Rights Law.

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## LEGISLATIVE SERVICE COMMISSION

- Repeals the requirement that the Legislative Service Commission (LSC) provide an Internet database of school district revenue and expenditure data.
- Requires LSC to act as fiscal agent for the Joint Committee on Agency Rule Review and the Joint Medicaid Oversight Committee.
- Moves the termination date for the Ohio Constitutional Modernization Commission to January 1, 2018, from July 1, 2021.

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## STATE LOTTERY COMMISSION

- Requires one State Lottery Commission appointee to have experience or training in the areas of problem gambling or other addictions and in assistance to recovering gambling or other addicts.
- Would have required the Commission to promulgate rules regarding making EZPlay keno and EZPlay lucky numbers bingo terminal-generated instant-win style lottery games available to licensed lottery sales agents (VETOED).

- Authorizes the Director of the Commission to license a limited liability company or any other business entity as a lottery sales agent.
- Removes a provision prohibiting the Director from issuing a lottery sales agent license to a person to engage in the sale of lottery tickets as the person's sole occupation or business.
- Specifies that the Director has discretion to refuse to grant, or to suspend or revoke, a lottery sales agent license for any of several enumerated deficiencies.
- Makes managers and, in addition to corporations, other business entities liable for certain of the enumerated deficiencies as they apply in a business context.
- Abolishes the Charitable Gaming Oversight Fund.
- Clarifies the law regarding employees of the Auditor of State who are prohibited from being awarded a lottery prize.

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## DEPARTMENT OF MEDICAID

### State agency collaboration for health transformation initiatives

- Extends to FY 2016 and FY 2017 provisions that authorize the Office of Health Transformation's Executive Director to facilitate collaboration between certain state agencies, authorize the exchange of personally identifiable information regarding a health transformation initiative, and require the use and disclosure of that information in accordance with operating protocols.

### Third party liability

- Establishes a rebuttable presumption (rather than an automatic right) regarding the right to recover a portion of a medical assistance recipient's tort action or claim against a third party.
- Establishes processes whereby a party may rebut the presumption, and specifies that one process is retroactive to the extent it may be used by a party who repaid money, on or after September 29, 2007, to the Department of Medicaid (ODM) or a county department of job and family services.
- Specifies that a third party's payment to ODM or a Medicaid managed care organization (MCO) regarding a medical assistance claim is final two years after the payment is made.
- Authorizes a third party to seek recovery of all or part of an overpayment by filing a notice with ODM or the MCO before that date.

- If ODM or the MCO agrees that an overpayment was made, requires ODM or the MCO to pay the amount to the third party or authorize the third party to offset the amount from a future payment.

### **Continuing issues regarding creation of ODM**

- Extends through June 30, 2017, the authority of the ODM and Ohio Department of Job and Family Services (ODJFS) directors to establish, change, and abolish positions for their agencies and to assign, reassign, classify, reclassify, transfer, reduce, promote, or demote employees who are not subject to collective bargaining.
- Continues the authority of the ODJFS Director and boards of county commissioners to negotiate about amending or entering into a new grant agreement regarding the transfer of Medicaid, the Children's Health Insurance Program, and the Refugee Medical Assistance Program to ODM.

### **Contracts for managing data requests**

- Requires, instead of permits as under prior law, the ODM Director to enter into contracts with persons to receive and process requests for certain Medicaid-related data that will be used for commercial or academic purposes.
- Requires a person with such a contract to charge a person seeking the data a fee equal to 102% of the cost ODM incurs in making the data available.

### **Integrated Care Delivery System (PARTIALLY VETOED)**

- Requires ODM to ensure that each Integrated Care Delivery System (ICDS) participant who is a Holocaust survivor receives, while enrolled in a Medicaid waiver program, home and community-based services (HCBS) that the participant would have received if enrolled in another HCBS Medicaid waiver program.
- For FY 2016 and FY 2017, permits ODM to provide performance payments to Medicaid managed care organizations that provide care to ICDS participants, and requires ODM to withhold a percentage of the premium payments made to the organizations for the purpose of providing the performance payments.
- Would have permitted a medical transportation provider to submit a claim to Medicaid for a service provided to an ICDS participant without Medicare first denying the claim if Medicaid is responsible for paying the claim (VETOED).

### **Behavioral health**

- During FY 2016 and FY 2017, permits Medicaid to cover state plan HCBS for Medicaid recipients of any age who have behavioral health issues and countable incomes not exceeding 150% of the federal poverty line.



## Medicaid School Program

- Makes a qualified Medicaid school provider solely responsible for timely repaying any overpayment that it receives under the Medicaid School Program and that is discovered by a federal or state audit.
- Prohibits ODM, with regard to an overpayment, from paying the federal government to meet or delay the provider's repayment obligation and from assuming or forgiving the provider's repayment obligation.
- Requires each qualified Medicaid school provider to indemnify and hold harmless ODM for any cost or penalty resulting from a federal or state audit.

## Optional Medicaid groups (PARTIALLY VETOED)

- Would have prohibited Medicaid from covering optional eligibility groups that state statutes do not address whether Medicaid may cover (VETOED).
- Would have specified that, if the income eligibility threshold for an optional eligibility group is not specified in state statute, the threshold is to be a percentage of the federal poverty line (VETOED).
- Eliminates a requirement that the Medicaid program cover the group consisting of nonpregnant individuals who may receive family planning services and supplies.

## 209(b) option

- Prohibits ODM from terminating, before July 1, 2016, the federal 209(b) option, under which Medicaid eligibility requirements for aged, blind, and disabled individuals are more restrictive than the eligibility requirements for the Supplemental Security Income program.
- Requires ODM, if it terminates the 209(b) option, to establish a Medicaid waiver program under which an individual who has cystic fibrosis and is enrolled in the Program for Medically Handicapped Children or a program for adults with cystic fibrosis may qualify for Medicaid under a spend-down process.
- Requires the Program for Medically Handicapped Children and the program for adults with cystic fibrosis to continue to assist recipients in qualifying for Medicaid under the spend-down process.

## Transitional Medicaid

- Repeals a requirement that the ODM Director implement a federal option that permits individuals to receive transitional Medicaid for a single 12-month period (rather than an initial 6-month period followed by a second 6-month period).



**Medicaid ineligibility for transfer of assets – exception**

- Permits an institutionalized individual to enroll in Medicaid despite a transfer of assets for less than fair market value under an additional circumstance.

**Medicaid eligibility – revocable self-settled trusts (VETOED)**

- Would have enacted in Ohio law a federal provision prohibiting the home of a Medicaid applicant or recipient held in a revocable self-settled trust from being (1) considered for purposes of determining Medicaid eligibility and (2) included in the computation of spousal share determined under federal law (VETOED).
- Would have excluded the transfer of a Medicaid applicant's or recipient's home from a revocable self-settled trust to the applicant or recipient or that individual's spouse from being considered an improper disposition of assets with respect to Medicaid eligibility (VETOED).

**Personal needs allowance**

- Increases the monthly personal needs allowance for Medicaid recipients residing in intermediate care facilities for individuals with intellectual disabilities (ICFs/IID).

**Independent provider study**

- States that it is the General Assembly's intent to study the issue of independent providers' Medicaid provider agreements and to resolve it by December 31, 2015.

**Medicaid expansion group report**

- Requires ODM to submit a report to the General Assembly evaluating the Medicaid program's effect on clinical care and outcomes for individuals included in the Medicaid expansion group (also referred to as Group 8).

**Pre-enrollment provider screenings and reviews**

- States the General Assembly's recommendation that ODM, during FY 2016 and FY 2017, perform pre-enrollment screenings and reviews of Medicaid providers designated as moderate or high categorical risks to the Medicaid program.

**Medicaid rates for medical transportation (VETOED)**

- Would have required that the Medicaid rate for medical transportation services include a component paying for providers' fuel costs and that the fuel component be at least 5% higher than the national average for fuel prices (VETOED).
- Would have required that the Medicaid rates for ambulette services provided during FY 2016 and FY 2017 be at least 10% higher than the rates in effect on June 30, 2015 (VETOED).

**Nursing facilities' Medicaid rates (PARTIALLY VETOED)**

- Requires ODM, with the first rebasing of Medicaid rates for nursing facilities, to place nursing facilities in Allen County or Trumbull County in the peer groups used to determine Medicaid rates for facilities in Mahoning County or Stark County.
- Replaces, for the purpose of determining the regular Medicaid rate for nursing facility services beginning with FY 2017, the quality incentive payment with a quality payment and eliminates the quality bonus.
- Provides for \$16.44 (the maximum quality incentive payment) to be added to the sum of a nursing facility's rates for the cost centers and, if applicable, its critical access incentive payment when determining the facility's regular Medicaid payment rate.
- Provides for the amount determined above to be reduced by \$1.79 and requires ODM to use all of the funds made available by this reduction to determine the amount of each nursing facility's quality payment.
- Requires ODM to add the quality payment to the regular payment rate of each nursing facility that meets at least one of five quality indicators and requires that the largest quality payment be paid to facilities that meet all of the quality indicators.
- Provides for a new nursing facility to be paid a quality payment that is the mean quality payment rate determined for nursing facilities and that \$14.65 be added to a new nursing facility's initial total rate.
- Would have required ODM, when determining nursing facilities' case-mix scores on and after July 1, 2016, to use the grouper methodology designated by the federal government as the resource utilization group (RUG)-IV, 48 group model (VETOED).
- Provides for the per Medicaid day rate for nursing facility services provided to low resource utilization residents on and after July 1, 2016, to be (1) \$115 per Medicaid day if ODM is satisfied that the facility is cooperating with the Long-Term Care Ombudsman Program to help the residents receive the most appropriate services or (2) \$91.70 if ODM is not so satisfied.
- Requires, rather than permits as under prior law, ODM to establish an alternative purchasing model for nursing facility services provided to Medicaid recipients with specialized health care needs by designated discrete units of nursing facilities.

**Nursing facility demonstration project**

- Requires ODM to seek a federal waiver to operate a two-year demonstration project under which Medicaid recipients are admitted to participating nursing facilities in lieu of freestanding long-term care hospitals.

- Requires ODM to select four nursing facilities meeting certain requirements and located in Cuyahoga, Franklin, Hamilton, and Lucas counties (or other counties if necessary to find four qualifying facilities) to participate in the demonstration.
- Requires each participating nursing facility to develop admission criteria and to give the criteria to hospitals located within 50 miles that routinely refer Medicaid recipients to freestanding long-term care hospitals.
- Requires hospitals that receive the criteria to consider the criteria when determining where to refer Medicaid recipients who need the type of services freestanding long-term care hospitals provide.
- Permits Medicaid recipients to refuse referrals to participating nursing facilities.
- Requires that the Medicaid rate for nursing facility services under the demonstration project not exceed the Medicaid rate for comparable freestanding long-term care hospital services.

#### **Medicaid rate for home health aides**

- Requires that the Medicaid rates for home health aide services provided between January 1, 2016, and June 30, 2017, other than services provided by independent providers, be at least 5% higher than the rate in effect on October 1, 2015.

#### **Home care services contracts (VETOED)**

- Would have required ODM, for contracts for home care services paid for with public funds, to require that providers have a system for monitoring the delivery of services (VETOED).

#### **Medicaid care management system**

##### **Elimination of mandatory participation**

- Repeals a requirement that ODM designate for participation in the Medicaid care management system Medicaid recipients identified as part of the covered families and children group and, with certain exceptions, aged, blind, and disabled recipients.

##### **Behavioral health**

- Repeals a prohibition against including certain alcohol, drug addiction, and mental health services in the care management system.
- Requires ODM to begin to include alcohol, drug addiction, and mental health services in care management system not later than January 1, 2018.
- Provides that alcohol, drug addiction, and mental health services cannot be included in the care management system before January 1, 2018, without the approval of the Joint Medicaid Oversight Committee (JMOC).

- Requires JMOC to monitor ODM's actions in preparing and implementing inclusion of alcohol, drug addiction, and mental health services in the care management system.

**Integrity strategies**

- Requires ODM to implement strategies to improve the integrity of the care management system.

**Value-based payments**

- Requires Medicaid MCOs to implement strategies that base payments to providers on the value received from their services and their success in reducing waste.
- Requires Medicaid MCOs to ensure, not later than July 1, 2020, that at least 50% of the aggregate net payments they make to providers is based on the value of the providers' services.

**Community health workers (VETOED)**

- Would have required Medicaid managed care organizations to provide (or arrange for) community health worker and similar services to pregnant enrollees or enrollees capable of becoming pregnant who lived in ODH-identified communities with high infant mortality and met other criteria (VETOED).

**Enhanced care management**

- Requires a Medicaid MCO to provide enhanced care management to pregnant women and women capable of becoming pregnant in ODH-identified communities with high infant mortality.

**Help Me Grow home visits**

- Requires a Medicaid MCO to provide (or arrange for) home visits (including depression screenings) and cognitive behavioral therapy to an enrollee who is a Help Me Grow participant and is either pregnant or the birth mother of a child under age three.
- Requires the cognitive behavioral therapy to be provided in the enrollee's home at her request.
- Requires ODM to modify (between January 1, 2016, and June 30, 2017) the default enrollment process for the Medicaid managed care program in a manner that gives preference to Medicaid MCOs that have reduced infant mortality rates.

**Study – self-selection of MCOs**

- Requires ODM to conduct a study about the feasibility and potential savings of delaying an individual's Medicaid coverage until the individual self-selects a

Medicaid managed care organization if the individual is required to participate in the care management system.

### **Healthy Ohio Program**

- Requires the ODM Director to establish the Healthy Ohio Program (HOP).
- Provides that under HOP, certain Medicaid recipients must enroll in a comprehensive health plan offered by a managed care organization under contract with ODM, in lieu of coverage through Medicaid fee-for-service or the care management system.
- Requires that an account, to be known as a Buckeye account, be established for each HOP participant, and that it consist of Medicaid funds and contributions made by and on behalf of the participant.
- Requires a health plan in which a participant enrolls to (1) cover certain services, (2) require copayments for services under certain circumstances, (3) not begin to pay for services until the noncore portion of the participant's Buckeye account is zero, and (4) have payout limits of \$300,000 annually and \$1 million lifetime.
- Prohibits a Buckeye account from having more than \$10,000.
- Requires, with certain exceptions, that \$1,000 of Medicaid funds be deposited annually into a participant's Buckeye account.
- Requires, with certain exceptions, that a participant annually contribute to the participant's Buckeye account the lesser of \$99 or 2% of the participant's annual countable family income.
- Permits, with certain limitations, the following to make contributions to a participant's Buckeye account on the participant's behalf: the participant's employer, a not-for-profit organization, and the managed care organization that offers the health plan in which the participant enrolls.
- Prohibits an individual from beginning to participate in HOP until an initial contribution is made to the individual's Buckeye account, unless the individual is exempt from the requirement to make contributions.
- Provides for all or part of the amount remaining in a participant's Buckeye account at the end of a year to carry forward for the next year, and for the participant's contribution that next year to be reduced by the amount carried forward.
- Specifies what a Buckeye account may be used for.
- Requires a managed care organization that offers the health plan in which a participant enrolls to issue a debit swipe card.

- Requires the ODM Director to establish a system under which amounts are awarded to a participant's Buckeye account if the participant (1) provides for the participant's contributions to be made electronically, (2) achieves health care goals, and (3) satisfies health care benchmarks.
- Terminates a participant's participation in HOP under certain circumstances.
- Requires that a participant's contributions to his or her Buckeye account be returned to the participant when the participant ceases to participate in HOP, unless the amount is transferred to a bridge account.
- Transfers to a bridge account the amount remaining in a participant's Buckeye account if the participant ceases to qualify for Medicaid due to increased family income and purchases health insurance or obtains coverage under an employer-sponsored health plan.
- Requires that a participant be transferred to the fee-for-service component of Medicaid or the care management system if the participant exhausts the annual or lifetime payout limits.
- Requires a county department of job and family services to offer to refer to a workforce development agency each HOP participant who is either unemployed or employed for less than an average of 20 hours per week.
- Permits a HOP participant to refuse to accept the referral and to participate in workforce development activities without any effect on the participant's eligibility for, or participation in, HOP.

## **HCAP**

- Continues the Hospital Care Assurance Program (HCAP) for two additional years.
- Eliminates a requirement for a portion of the money generated by the HCAP assessments and intergovernmental transfers to be deposited into the Legislative Budget Services Fund.
- Abolishes the Fund when all the remaining money in the Fund has been spent.

## **Franchise permit fees**

- Continues the assessments (i.e., franchise permit fees) imposed on hospitals for two additional years.
- Requires ODM to establish a payment schedule for hospital franchise permit fees for each year and to include the payment schedule in the preliminary determination notice that ODM is required to mail hospitals.

- Provides that a bed surrender does not occur for the purpose of the franchise permit fee charged nursing homes unless the bed is removed from a nursing home's licensed capacity in a manner that makes it impossible for it to ever be a part of any nursing home's licensed capacity.
- Provides that a bed surrender does not occur for the purpose of the franchise permit fee charged hospital long-term care units unless the bed is removed from registration as a skilled nursing facility bed or long-term care bed in a manner that makes it impossible for it to ever be registered as such a bed.
- Requires ODM to notify, electronically or by U.S. mail, nursing homes and hospital long-term care units of (1) the amount of their franchise permit fees, (2) redeterminations of the fees triggered by bed surrenders, and (3) the date, time, and place of hearings to be held for appeals regarding the fees.

### **Annual report on Medicaid effectiveness**

- Requires additional information to be included in an ODM annual report on the effectiveness of the Medicaid program in meeting the health care needs of low-income pregnant women, infants, and children.

### **Graduate Medical Education Study Committee**

- Creates the Graduate Medical Education Study Committee to study Medicaid payments to hospitals for the costs of graduate medical education, including the feasibility of targeting payments to reward medical school graduates who practice in Ohio for at least five years after graduation.
- Requires the Committee to complete a report by December 31, 2015.

### **Waiver for married couple to retain eligibility (VETOED)**

- Would have required ODM to establish a waiver program under which Medicaid recipients who are married to each other could retain Medicaid eligibility in certain circumstances, despite employment earnings that exceed the eligibility threshold (VETOED).

### **Termination of waiver programs**

- Addresses administrative issues regarding termination of Medicaid waiver programs.

### **Funds**

- Requires that federal payments made to Ohio for the Money Follows the Person demonstration project be deposited into the Money Follows the Person Enhanced Reimbursement Fund.



- Creates the Health and Human Services Fund in the state treasury to pay costs associated with state-provided programs or services to enhance public health and overall health care quality of Ohio citizens.

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## **JOINT MEDICAID OVERSIGHT COMMITTEE**

- Requires the Legislative Service Commission to act as fiscal agent for the Joint Medicaid Oversight Committee.

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## **STATE MEDICAL BOARD**

### **Renewal procedures**

- Eliminates the requirement that the State Medical Board, in its regulation of physicians (including podiatrists and anesthesiologist assistants), issue certificates of registration, and instead authorizes the Board to renew certificates to practice.
- Specifies, within the list of disciplinary actions to be imposed by the Board, that the Board may refuse to renew a certificate or license.
- Requires the Board to provide, rather than send or mail, renewal notices to certificate and license holders.

### **Change of address notice**

- Clarifies that each physician (including a podiatrist) must notify the Board of a change in any of the following within 30 days: (1) the physician's residence, business, or email address or (2) the list of the names and addresses of advanced practice registered nurses with whom the physician collaborates.

### **Board directory**

- Requires the Board to publish on its website a directory of all persons holding certificates or licenses issued by it, and generally specifies that the directory is the sole source for verifying that a person holds a current, valid certificate or license.

### **Conditions for restoring or issuing certificates**

- Authorizes the Board to impose, before restoring or issuing certain certificates to practice, additional terms and conditions on applicants, including physical examinations and skills assessments.
- Increases the fees a physician (including a podiatrist) must pay to have a certificate reinstated or restored after it has been suspended for failure to renew, as follows: \$100 (from \$50) for reinstatement and \$200 (from \$100) for restoration.

**Continuing education**

- Provides that an adjudication hearing is not required if the Board imposes a civil penalty for failure to complete continuing education requirements but does not take any other action.
- Clarifies continuing education requirements for physicians but does not make substantive changes to the requirements.
- Adds continuing education requirements related to certificates to practice limited branches of medicine to the list of continuing education requirements that may be deferred for individuals called to active military duty.

**Expedited certificates**

- Requires that the Board's secretary and supervising member, as opposed to the Board itself, review and make eligibility determinations concerning expedited certificates to practice medicine and surgery or osteopathic medicine and surgery by endorsement.
- Specifies that if the requirements for an expedited certificate are not met, the secretary and supervising member must treat the application as an application for a certificate to practice medicine and surgery or osteopathic medicine and surgery.

**Civil penalties**

- Authorizes the Board to impose a civil penalty on a professional who violates the law administered by the Board.
- Requires the Board to adopt guidelines regarding the amounts of civil penalties that may be imposed, and specifies that the amount of a civil penalty cannot exceed \$20,000.

**Physician's referral for overdose of illegal drug**

- Authorizes a physician who believes that a patient is experiencing an overdose of an illegal drug to refer the patient to a mental health professional, and requires the mental health professional to report to the physician on the patient's treatment status.

**Prescribing based on remote examination (VETOED)**

- Would have codified, with certain changes, an administrative rule governing when a physician may prescribe or dispense a prescription drug to a person on whom the physician has never conducted a medical evaluation (VETOED).

**Therapeutic recreation camps**

- Provides immunity to certain medical professionals who volunteer services at therapeutic camps.
- Provides an exception to the requirement that a person practicing medicine have an Ohio medical license to out-of-state physicians volunteering at certain therapeutic recreation camps.

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**DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES****Recovery housing**

- Defines "recovery housing" to include housing for individuals recovering from alcoholism as well as drug addiction.
- Modifies the criteria of ownership and operation of recovery housing.

**ADAMHS board advocacy**

- Expressly authorizes boards of alcohol, drug addiction, and mental health services (ADAMHS boards) to advocate on behalf of Medicaid recipients enrolled in Medicaid managed care organizations and Medicaid-eligible individuals, any of whom have been identified as needing addiction or mental health services.

**Discriminatory practices**

- Prohibits an ADAMHS board or community addiction or mental health services provider from discriminating in the provision of addiction and mental health services, in employment, or under a contract based on religion or age (in addition to race, color, creed, sex, national origin, or disability, as specified in continuing law).

**Service provider noncompliance**

- Permits the Department of Mental Health and Addiction Services (ODMHAS) to suspend the admission of patients to a hospital treating mentally ill persons or a community addiction services provider offering overnight accommodations under certain circumstances.
- Authorizes ODMHAS to refuse to renew a hospital's license to treat mentally ill persons for specified reasons.

**Residential facilities**

- Amends the definition of "residential facility" to create different classes of residential facilities based on the size of the facility and the types of services offered by the facility.

- Expands the reasons ODMHAS may suspend admissions to a residential facility, refuse to issue or renew, or revoke a facility's license.
- Modifies the requirements regarding the operation of residential facilities.

**Rules**

- Modifies ODMHAS's rule-making authority.

**Residential State Supplement**

- Makes changes to the eligibility requirements for the Residential State Supplement Program.
- Limits the referral requirements under the program.
- Removes the requirement that ODMHAS maintain a waiting list for the program.
- Permits the Department of Medicaid to (1) determine whether an applicant meets eligibility requirements and (2) notify each denied applicant of the applicant's right to a hearing.

**Probate court reimbursement**

- Requires a probate court to send a certified copy of the commitment order to the mentally ill person's county of residence in order for the committing court to be reimbursed for its expenses, instead of sending the court's transcript of proceedings under former law.

**Drug court pilot program**

- Creates a medication-assisted drug court program to provide addiction treatment to persons who are offenders in the criminal justice system and are dependent on opioids, alcohol, or both.
- Requires certified community addiction services providers to provide specified treatment to program participants based on each participant's individual needs.
- Requires a research institute to prepare a report on the program's findings and to submit it to the Governor and other specified persons.

**Bureau of Recovery Services**

- Transfers the Bureau of Recovery Services in the Department of Rehabilitation and Correction to ODMHAS.

**Other provisions**

- Eliminates certain requirements relating to a joint state plan to improve access to alcohol and drug addiction services for individuals a public children services agency identifies as needing those services.

- Eliminates the confidentiality of specified mental health records identifying a patient who has been deceased for 50 years or longer.
- Renames the Office of Support Services Fund used by ODMHAS as the Ohio Pharmacy Services Fund.
- Makes technical corrections in provisions governing the duties of ADAMHS boards, ODMHAS, and community addiction and mental health services providers.

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## **DEPARTMENT OF NATURAL RESOURCES**

### **Silvicultural Assistance Program**

- Transfers the Silvicultural Assistance Program from the Division of Soil and Water Resources to the Division of Forestry, and retains all components of the Program.
- Authorizes a person that owns or operates a silvicultural operation to develop and operate under a timber harvest plan rather than an operation and management plan.

### **Division of Water Resources**

- Renames the Division of Soil and Water Resources as the Division of Water Resources.
- Retains the renamed Divisions' administration of all statutory programs and activities assigned to it, other than the Agricultural Soil and Water Conservation, Storm Water Management, and Silvicultural Assistance programs transferred by the act.

### **Sale, transfer, or use of Department property and water**

- Requires the Director of Natural Resources to obtain the Governor's approval only for specified types of property transactions of \$50,000 or more, rather than generally requiring both the Governor's and Attorney General's approval of any such transaction in any amount.
- Generally requires any such transaction, regardless of the amount, to be executed in accordance with the state law that requires specific actions to be taken regarding conveyances of state real estate, including drafting by the Auditor of State and signature by the Governor.

### **Department notices**

- Requires the Department of Natural Resources to publish notices regarding certain activities, projects, or improvements as contemplated in the general newspaper publication statute.

## **Mining annual reports**

- Transfers the responsibility to prepare and publish certain mining operation reports from the Chief of the Division of Geological Survey or the Chief of the Division of Mineral Resources Management to the Director or the Director's designee.
- Authorizes the Director or designee to require the Division of Mineral Resources Management to perform the reporting duties formerly performed by the Division of Geological Survey.

## **Industrial minerals mining**

- Generally precludes a mine foreperson's certificate issued under the Industrial Minerals Mining Law from expiring.
- Specifies that a certified mine foreperson may be employed for the purposes of being in charge of the conditions and practices at a mine, in addition to conducting examinations of the surface mining operation as in continuing law.
- Allows a competent person identified by a certified mine foreperson to conduct examinations of the surface mining operation under federal law, and specifies what constitutes a competent person for that purpose.
- Revises the statutory requirements governing safety audits at surface mining operations.
- Specifies that expenditures from the Surface Mining Fund made by the Chief of the Division of Mineral Resources Management for purposes other than certain reclamation purposes are subject to the Chief's maintaining a balance in the Fund sufficient to achieve those reclamation purposes.

## **Streams and wetlands restoration by coal mining operators**

- Requires a permitted coal mining and reclamation operator to restore on the permit area streams and wetlands affected by mining operations unless the Chief approves mitigation activities off the permit area without a permit, provided that the Chief first makes certain determinations.
- Requires the operator, if the Chief approves restoration off the permit area, to complete all mitigation construction or other activities required by the mitigation plan.
- Specifies that performance security for reclamation activities on the permit area must be released pursuant to continuing law, except that any release of the remaining portion of performance security must not be approved prior to construction of required mitigation activities off the permit area.

## **Coal mining permit applications**

- Requires an applicant for a coal mining permit to submit with the application an accurate map or plan clearly showing the land for which the applicant will acquire the legal right to enter and commence coal mining operations.
- Requires an applicant to submit with an application either a notarized statement describing the applicant's legal right to enter and commence coal mining operations or copies of the documents on which the applicant's legal right to enter and commence coal mining operations is based, rather than only the latter.
- States that an application cannot be denied or considered incomplete by reason of right of entry documentation if the applicant documents the applicant's legal right to enter and mine at least 67% of the total area for which coal mining operations are proposed.
- Requires documents or a notarized statement forming the basis of an applicant's legal right to enter and commence coal mining operations on land located within an area covered by the permit and legally acquired subsequent to the permit's issuance to be submitted with an application for a permit revision.
- Stipulates that a permit must prohibit the commencement of coal mining operations on land located within an area covered by the permit if the permittee has not provided documents forming the basis of the permittee's legal right to enter and conduct coal mining operations on the land.

## **Dredging of inland lakes**

- Requires the Director to perform specified tasks regarding inland lakes, including:
  - Determining the amount of dredging that is needed in each inland lake in Ohio to improve access, water quality, safety, and other standards; and
  - Increasing the amount of time and resources expended on dredging to meet the identified needs.
- Authorizes the Director to enter into contracts or agreements with other entities for those purposes if doing so will assist in maximizing any of the dredging operations.

## **Wildlife Boater Angler Fund**

- Revises the uses of the Wildlife Boater Angler Fund by allowing use for maintenance and repair of dams and impoundments – rather than unspecified maintenance, and acquisitions, including lands and facilities for boating access – in addition to its continuing uses.



- Specifies that the activities for which the Fund may be used must occur on waters, rather than only on lakes, on which the operation of gasoline-powered watercraft is permissible.
- Increases from \$200,000 to \$500,000 the annual Fund expenditures that may be used to pay for related equipment and personnel costs.

## **Oil and Gas Law (PARTIALLY VETOED)**

### **Application of Law**

- Applies the Oil and Gas Law to any form of business organization or entity recognized by Ohio laws by including that description in the definition of "person" in that Law.
- Applies to public land the Law's provisions governing minimum distances of wells from boundaries of tracts, voluntary and mandatory pooling, special drilling units, establishment of exception tracts to which minimum acreage and distance requirements do not apply, unit operation of a pool, and revision of an existing tract by a person holding a permit.
- Accomplishes the change by revising the definition of "tract" to include land that is not taxed.

### **Fee for permit to plug back existing well**

- Requires an application for a permit to plug back an existing oil or gas well to be accompanied by a nonrefundable fee.

### **Emergency planning reporting**

- Requires all persons regulated under the Law and rules adopted under it, rather than only owners or operators of facilities that are regulated under the Law, to submit specified information to the Chief of the Division of Oil and Gas Resources Management for inclusion in a database.
- Modifies provisions to be included in the rules governing the database by requiring the rules to ensure both:
  - That the Emergency Response Commission, the local emergency planning committee, and the fire department that has jurisdiction over a facility – rather than the Commission and every local emergency planning committee and fire department in Ohio – have access to the database; and
  - That the information submitted for the database be made immediately available, rather than available via the Internet or a system of computer disks, to the above entities.

- Stipulates that an owner or operator is deemed to have satisfied all inventory requirements established under the Emergency Planning Law by complying with the act's submission requirements, rather than by filing a log and production statement with the Chief.

#### **Notification of emergencies (VETOED)**

- Would have required an owner, a person issued an order under the Oil and Gas Law or rules, a registered brine transporter, or a surface applicator of brine to notify the Division of Oil and Gas Resources Management within 30 minutes after becoming aware of any of seven specified types of emergency occurrences, unless notification within that time was impracticable under the circumstances (VETOED).

#### **Mandatory pooling**

- Authorizes the owner who has the right to drill to request a mandatory pooling order, rather than the owner of the tract of land who was also the owner of the mineral interest.
- Allows an application for a mandatory pooling order to be submitted if a tract or tracts, rather than a single tract of land, are of insufficient size or shape to meet the statutory minimum acreage requirements for drilling a proposed well rather than for drilling a well.
- Revises the Law regarding mandatory pooling to distinguish between mineral rights owners and surface rights owners, including by requiring the Chief to notify all mineral rights owners of tracts within the area proposed to be pooled and included in the drilling unit, rather than all owners of land within that area, of the filing of the application for a mandatory pooling order and their right to a hearing.

#### **Application of unit operation to ODOT land**

- Requires the Chief to issue an order for unit operation of a pool or part of a pool that encompasses a unit area for which all or a portion of the mineral resources are owned or controlled by the Department of Transportation.

#### **Civil penalties for violations**

- Increases civil penalties for certain violations of the Law.

#### **Response costs and liability**

- States that a person who violates the Law's general permit requirements and provisions governing a permit for recovery operations, or any term or condition of a permit or order, is liable for damage or injury caused by the violation and for the actual cost of rectifying the violation and conditions caused by it.

- Establishes that a person may be subject to both a civil penalty and a term of imprisonment under the Law for the same offense.

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### **OHIO BOARD OF NURSING**

- Removes the requirement that the Board of Nursing collect a \$5 fee for written verification of licensure or certification.
- Modifies the structure of the course in advanced pharmacology and related topics that a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner must complete to obtain a certificate to prescribe.

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### **OHIO OPTICAL DISPENSERS BOARD**

- Requires spectacle dispensing opticians to complete two hours of study in prepackaged soft contact lens dispensing before being authorized to dispense prepackaged soft contact lenses.
- Modifies the continuing education requirement regarding contact lens dispensing that applies to spectacle dispensing opticians.
- Exempts from continuing education requirements certain professionals who apply for initial renewal of a license issued by the Ohio Optical Dispensers Board.
- Requires the Board to approve continuing education programs that are conducted in person or through electronic or other self-study means.
- Specifies that "optical dispensing" does not include placing an order for the delivery of an optical aid.

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### **STATE BOARD OF PHARMACY**

- Expressly authorizes the State Board of Pharmacy to refuse to grant a certificate to operate as a wholesale distributor of dangerous drugs.
- Requires certain prescribers to hold a license as a terminal distributor of dangerous drugs for actions involving drugs that are (1) compounded or used for compounding or (2) controlled substances containing buprenorphine used for treating drug dependence or addiction.

- Requires the Board to provide Ohio Automated Rx Reporting System (OARRS) information to the Director of Health for duties related to the Ohio Violent Death Reporting System.
- Requires the Board to provide to a Medicaid managed care organization's pharmacy director information from OARRS relating to enrolled Medicaid recipients.
- Repeals a provision under which a prescriber or pharmacist who provides OARRS information to a patient or patient's personal representative was not subject to the prohibition against disseminating OARRS information.
- Increases from two to three years the amount of time that information collected in OARRS is to be retained.

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## **STATE BOARD OF PSYCHOLOGY**

- Expands the list of acceptable educational qualifications for a psychologist license to include a doctoral degree from an accredited or recognized degree program that does not meet the program accreditation requirements under continuing law.
- Requires professional experience for applicants for a psychology license with a foreign psychology degree or its foreign equivalence, or those with degrees from institutions that do not meet the program accreditation requirements under continuing law.
- Removes specified enrollment and graduation deadline requirements from alternatively accredited degree programs from the list of qualifications for a psychology license.

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## **DEPARTMENT OF PUBLIC SAFETY**

### **Expedited paramedic certification for veterans**

- Requires the State Board of Emergency Medical, Fire, and Transportation Services to establish an Expedited Veterans Paramedic Certification Program, whereby a veteran who received paramedic training in the armed forces receives credit for the training toward an Ohio paramedic certificate.

### **Community paramedicine**

- Authorizes a basic, intermediate, or paramedic emergency medical technician to perform medical services that the technician is authorized by law to perform in nonemergency situations if the services are performed under the direction of the technician's medical director or cooperating physician advisory board.

- Provides that in nonemergency situations, no medical director or cooperating physician advisory board may delegate or otherwise authorize a technician to perform any medical service that the technician is not authorized by law to perform.

### **Abbreviated driver training course**

- Delays implementation of the abbreviated driver training course for adults that was created by the 2015 Transportation Appropriations Act (H.B. 53, 131st G.A.), until one year after the effective date of the rules that govern the course.

### **License plates**

- Eliminates the requirement that historical motor vehicles display a front license plate, thus requiring those vehicles to display only a rear plate.
- Creates the "Lincoln Highway" license plate and specifies that the proceeds from the required \$20 contribution must be used by the Ohio Lincoln Highway Historic Byway to promote and support the historical preservation and advertisement of the Lincoln Highway in Ohio.
- Creates the "Women Veterans" license plate, which may be issued to any woman who is a retired or honorably discharged veteran of any branch of the U.S. armed forces, and prohibits any person from falsifying an application for the plates or displaying them if the person is ineligible to receive them.
- Modifies the law governing the establishment, termination, and reestablishment of nonstandard license plates.
- Requires the sponsor of a nonstandard license plate to verify that sponsor's contact information with the Registrar of Motor Vehicles by December 1 each year.
- If the sponsor fails to verify the contact information, requires the Registrar to deposit contributions for the nonstandard license plate in the GRF, rather than the License Plate Contribution Fund for distribution to the sponsor.
- Specifies that a temporary license placard issued for an off-highway motorcycle or all-purpose vehicle is valid for 45 days rather than 30 days as under prior law.

### **MARCS Steering Committee**

- Permits the Multi-Agency Radio Communications System (MARCS) Steering Committee to establish a subcommittee to represent local government MARCS users, and permits the chairperson of the subcommittee to serve as a member of the Steering Committee.

### **Deputy Registrar Funding Study Committee**

- Establishes the Deputy Registrar Funding Study Committee to study the long-term financial solvency of deputy registrars in Ohio and whether the existing statutory charges that may be levied by deputy registrars are sufficient.
- Requires the Committee to report its findings and recommendations by March 29, 2016.

### **Definition of "apportionable vehicle"**

- Removes a provision of law that excluded buses used for transportation of chartered parties from the definition of apportionable vehicle; thereby requiring such vehicles, if they otherwise fall within the definition of an apportionable vehicle, to register under an International Registration Plan (IRP).

### **Ohio Investigative Unit Fund**

- Establishes the Ohio Investigative Unit Fund consisting of nonfederal money that is received by the Investigative Unit in the Department of Public Safety and that is not otherwise required to be deposited into another fund.
- Requires money in the Fund to be used to pay the expenses of administering the Unit's powers and duties.

### **Medicaid Recipients' ID and Benefits Cards Workgroup**

- Creates the 11-member Workgroup to Study the Feasibility of Medicaid Recipients' ID and Benefits Cards, chaired by the Director of Public Safety or the Director's designee.
- Requires the Workgroup to evaluate the feasibility of using state-issued licenses and identification cards to establish an individual's eligibility for all state public assistance programs, such as Medicaid, Home Energy Assistance, Supplemental Nutrition Assistance, and child care.
- Requires the Workgroup to report its findings and recommendations to the General Assembly by July 1, 2018, at which time it ceases to exist.

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## **PUBLIC UTILITIES COMMISSION**

### **Telecommunications**

#### **Withdrawal or abandonment of basic local exchange service**

- Lifts the prohibition against an incumbent local exchange carrier withdrawing or abandoning basic local exchange service (BLES) in an exchange area if the carrier

withdraws the interstate-access component of its BLES in accordance with an order of the Federal Communications Commission.

- Requires a carrier withdrawing or abandoning BLES to give 120 days' notice to the Public Utilities Commission of Ohio (PUCO) and affected customers.

**Voice service for customers who petition the PUCO (or are identified)**

- Permits a residential customer who will be unable to obtain reasonable and comparatively priced voice service upon the withdrawal or abandonment of BLES to petition PUCO to find a willing provider of such service, and permits a collaborative process at the PUCO to identify customers in similar positions.
- Permits PUCO to order the withdrawing or abandoning carrier to provide a reasonable and comparatively priced voice service to a customer described above for one year at the customer's residence if, after an investigation, no willing provider is identified.
- Permits the order described above to be extended for one additional year if no alternative reasonable and comparatively priced voice service is available, upon further evaluation.
- Permits PUCO, at the end of the second year, to issue a new order under which the carrier must continue to provide a reasonable and comparatively priced voice service to the customer if no alternative reasonable and comparatively priced voice service is available.

**Transition to an Internet-protocol network**

- Requires PUCO to use its appropriation in part to plan for the transition from the current telephone network to an Internet-protocol network.
- Requires PUCO to establish a collaborative process with incumbent and competitive local exchange carriers, the Office of the Ohio Consumers' Counsel, a representative of cable operators, and others to focus on the Internet-protocol network transition process and related consumer issues.

**Carrier agreements, rights, and obligations**

- Ensures that an incumbent local exchange carrier that withdraws or abandons BLES would still be subject to PUCO's oversight of the rates, terms, and conditions for carrier access, pole attachments, and conduit occupancy.
- States that the act does not affect any contractual obligation, including agreements under the federal Telecommunications Act of 1996, any right or obligation under federal law or rules, or certain state laws or rules related to wholesale rights or obligations.



**Video service authorization**

- States that, for purposes of applying for a video service authorization, the video service area is the geographic area in which the person offered BLES on September 24, 2007, rather than the geographic area in which the person *offers* BLES.

**Percentage of Income Payment Plan**

- Requires the Director of Development Services to aggregate Percentage of Income Payment Plan (PIPP) program customers and hold an auction for their electric service.
- Requires the auction to result in the best value for universal service plan rider payers, rather than the lowest and best value for PIPP customers.
- Requires the auction to be held until the selection of a winning bid (or bids).
- Requires the winning bid (or bids) to reduce the cost of the PIPP program relative to the otherwise applicable standard service offer established under Ohio law.
- Eliminates the requirement that the Director adopt bidder eligibility rules.
- Eliminates the requirement that any difference between Universal Service Fund revenues and savings resulting from a competitive auction for the PIPP supply be reinvested in the Targeted Energy Efficiency and Weatherization Program.
- Requires PUCO, upon written request by the Director, to design, manage, and supervise the competitive procurement process for PIPP, and requires the Director to reimburse PUCO for its costs.
- Requires the Public Benefits Advisory Board to submit a report by December 15, 2015, regarding funding for PIPP and other similar programs.

**Intermodal equipment**

- Grants PUCO authority to regulate intermodal equipment providers, and requires it to adopt rules with respect to the use and interchange of intermodal equipment (e.g., a semi-trailer transporting a ship container).
- Defines "intermodal equipment," "intermodal equipment provider," and related terms the same as those terms are defined in federal motor carrier safety rules.

**Subpoena power – motor carriers**

- Broadens PUCO subpoena power, previously limited to documents and other materials relating to hazardous materials transportation, by expanding its application to all books, contracts, records, and documents relating to compliance with motor carrier law and rules.

**Wind-farm setback**

- Creates an exception to the setback requirement for wind farms for an amendment to a certificate for a wind farm's construction, if (1) the amendment is applied for on or after September 29, 2015, but not later than March 27, 2016, (2) the amendment's sole purpose is to make turbine upgrades, and (3) other requirements are met.

**Natural gas company SiteOhio projects**

- Permits a natural gas company to file an application with PUCO for approval of an economic development project if the project has been submitted to (instead of, as former law required, certified by) the Director of Development Services for the SiteOhio certification program.

**Towing changes**

- Modifies the monetary award that must be made in a civil action against a towing service or storage facility by limiting the consideration of prior violations to a one-year look back period.
- Modifies the prohibition against failure to display the certificate of public convenience and necessity number and business telephone number on the front doors of a towing vehicle to instead prohibit the failure to display that information on the sides of a towing vehicle.
- Authorizes PUCO to adopt rules exempting certain types of advertising from the requirement that a towing service include its certificate of public convenience and necessity number on all advertising.

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**PUBLIC WORKS COMMISSION**

- Establishes a District Administration Costs Program for natural resource assistance councils that represent public works districts and review and approve or disapprove applications for grants from the Clean Ohio Conservation Fund.

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**OHIO STATE RACING COMMISSION**

- Eliminates the requirement that the Governor, State Racing Commission, and necessary parties negotiate and reach an agreement for providing annual \$500,000 payments to certain municipal corporations or townships in which a racetrack is located.

- Requires each municipal corporation or township to receive \$1 million over the next two fiscal years, with half from the Casino Operator Settlement Fund and half from the permit holder of the racetrack.
- Removes the provision that prohibited the maximum number of live racing days for any permit holder from exceeding 210.
- Removes the provision that prohibited simulcast hosts from conducting pari-mutuel wagering on certain simulcast racing programs if certain live harness horse racing programs were being conducted at a nearby track.
- Eliminates the Ohio Quarter Horse Development Fund and requires that funds formerly paid into it instead be paid into the Ohio Thoroughbred Race Fund to support quarter horse development and purses.
- Increases the amount of moneys paid by thoroughbred racing permit holders that the Tax Commissioner must pay into the Ohio Thoroughbred Race Fund.
- Abolishes the Ohio Quarter Horse Development Commission.
- Requires the State Racing Commission to adopt rules regarding the maintenance and use of money collected for quarter horse development and purses.

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## **DEPARTMENT OF REHABILITATION AND CORRECTION**

### **Judicial release on compassionate medical grounds**

- Authorizes a court, on its own motion, to grant judicial release to an offender in a state correctional institution on compassionate medical grounds if the offender has not been sentenced to death or imprisonment for life.

### **Community-based substance use treatment**

- Requires the Department of Rehabilitation and Correction (DRC) to operate a community-based substance use disorder treatment program for "qualified prisoners," and gives DRC discretion to determine the prisoners to place in the program.
- Specifies the program's purpose as providing assessment and treatment to reduce substance use relapses and recidivism for qualified prisoners while preparing them for community reentry and improving public safety.
- Authorizes DRC to permit a prisoner successfully participating in the program to reside at an approved residence with electronic monitoring, if it determines that residing there will serve the program's purposes for the prisoner.

- Specifies that a prisoner's program placement, participation, or completion does not reduce the prisoner's prison term other than for time served or credits earned, but, along with the prisoner's substance abuse recovery needs, must be considered in making post-release control decisions.

### **Halfway houses, community-based correctional facilities**

- Specifies that a term in a halfway house or an alternative residential facility is not considered imprisonment.
- Limits the ability of employees of community-based correctional facilities and district community-based correctional facilities who were subject to a collective bargaining agreement on June 1, 2005, to collectively bargain with their public employers to allow them to bargain only if the public employer elects to do so.
- Makes these community-based correctional facilities employees ineligible to serve on the Ohio Elections Commission.
- Allows the Division of Parole and Community Services to spend up to 0.5% of the annual appropriation for halfway house and community-based correctional facility programs for goods or services that benefit those programs.

### **Other provisions**

- Removes the requirement that the Office of Budget and Management approve prices fixed by DRC for labor and services performed, agricultural products produced, and articles manufactured in correctional and penal institutions.
- Modifies fallback provisions for DRC permanent classified employees, including adding reasons for which the employee may be reinstated to the classified position and specifying reasons for which the employee forfeits the right of reinstatement.
- Eliminates a requirement that each DRC institution file a monthly report with the DRC Director outlining all appointments, resignations, and discharges.
- Requires DRC, by June 30, 2016, to study the feasibility of converting an existing facility into a substance abuse recovery prison.
- Abolishes the Confinement Cost Reimbursement Fund and the Laboratory Services Fund.

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## **RETIREMENT SYSTEMS**

- Freezes the percentage of an alternative retirement program (ARP) participant's compensation that must be paid by a public institution of higher education to the Public Employees Retirement System (0.77%), State Teachers Retirement System

(4.5%), or School Employees Retirement System (6%), to mitigate any financial impact of the ARP on the retirement system.

- If the State Teachers Retirement Board increases the mitigating rate for ARPs between July 1, 2015, and September 29, 2015 (this provision's effective date), (1) requires it to repay each public institution the difference between the Board's rate and 4.5% and reimburse each institution for expenses related to increasing the rate and (2) caps the rate at 4% until the difference is repaid.
- Eliminates provisions that required each retirement system board to annually submit to the Ohio Retirement Study Council two reports related to securities transactions and asset management: one on Ohio-qualified agents and minority business enterprises and one on Ohio-qualified investment managers.

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## **STATE BOARD OF SANITARIAN REGISTRATION**

- Increases the renewal fee to register as a sanitarian or sanitarian-in-training from \$80 to \$90, and the late application fee from \$50 to \$75.

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## **SECRETARY OF STATE**

- Eliminates February special elections.
- Requires a political subdivision that submits an item for placement on the ballot at a special election to prepay 65% of the estimated cost of the election.
- Creates the Absent Voter's Ballot Application Mailing Fund, which the Secretary of State must use to pay the cost of printing and mailing unsolicited applications for absent voter's ballots if funds have been appropriated for that mailing.
- Eliminates the Information Systems Fund and redirects certain of its revenues to the Corporate and Uniform Commercial Code Filing Fund.
- Requires the name of a domestic or foreign limited liability partnership to be distinguishable from other registered business entities and trade names in the Secretary of State's records.

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## **DEPARTMENT OF TAXATION**

### **Income tax**

- Reduces the income tax rates applicable to nonbusiness income by 6.3%.

- Imposes a flat 3% tax on all business income in excess of the business income deduction, and, beginning in the 2016 taxable year, increases that deduction from 75% to 100% of the first \$250,000 of business income.
- Restricts the retirement income credit, the lump-sum retirement credit, the lump-sum distribution credit, and the senior citizen credit to taxpayers whose individual or joint adjusted gross income (less personal exemptions) for the taxable year is less than \$100,000.
- Creates an income tax refund contribution check-off for the benefit of nonprofit organizations whose primary purpose is to grant the wishes of children diagnosed with life-threatening illnesses.
- Would have required the Tax Commissioner to reduce income tax rates based upon any savings realized from the Governor's veto of substantial appropriations and expenditures included in the act (VETOED).

### **Sales and use taxes**

- Defers the first date that the Director of Budget and Management is required to transfer new remote seller use tax collections to the income tax reduction fund (ITRF) to the last day of January or July following the effective date of federal Marketplace Fairness-like legislation.
- Modifies the computation of new use tax collections for the purposes of the ITRF transfers to include only collections from sellers that register with the Tax Commissioner after the effective date of federal Marketplace Fairness-like legislation.
- Creates a presumption that all sellers that register with the Commissioner after that date are remote sellers, unless the Commissioner or the seller present evidence that the seller has substantial nexus with Ohio.
- Prescribes new criteria for determining whether sellers are presumed to have "substantial nexus" with Ohio and therefore required to register with the Tax Commissioner and collect and remit use tax, including sellers that enter into an agreement with Ohio residents to refer potential customers to the seller.
- Allows a seller presumed to have substantial nexus with Ohio to rebut that presumption.
- Requires a person or that person's affiliates, before selling or leasing tangible personal property or services to a state agency, to register with the Commissioner and collect and remit use tax.

- Eliminates a requirement that counties and transit authorities compensate vendors for the expense of adjusting cash registers when a county or transit authority sales and use tax rate is increased or a new tax is imposed.
- Would have allowed new and used motor vehicle dealers licensed in Ohio to remit sales and use tax collected on vehicle sales and leases on the dealer's monthly sales and use tax return rather than to the clerk of courts when applying for a certificate of title (VETOED).
- Exempts from sales and use tax the provision of sanitation services to a meat slaughtering or processing operation necessary for the operation to comply with federal meat safety regulations.
- Exempts from sales and use tax the provision of a rental vehicle while another vehicle is being repaired or serviced and the cost of the rental is reimbursed by certain parties, and abates any previously accrued penalties and interest charged for prior failures to pay taxes on those transactions.

**Other state taxes**

- Increases the rate of the cigarette excise tax from \$1.25 per pack to \$1.60 per pack.
- Lengthens the period of time during which wholesale dealers may buy cigarette tax stamps on credit but requires dealers to pay for such stamps no later than a week before the end of each fiscal year.
- Requires the Tax Commissioner to submit a quarterly report to the General Assembly that details the Department of Taxation's tobacco tax-related enforcement, investigations, and violations.
- Modifies the date the Treasurer of State is required to issue a domestic insurance premium tax bill, the due date for payment by the insurance company, and the computation of penalties for late payment.
- Explicitly exempts production credit associations (PCAs) and agricultural credit associations (ACAs) from the financial institutions tax.
- Specifies that, when a company generates electricity but donates all of that electricity to a political subdivision, the property used to generate or supply that electricity is not subject to property taxation and the donated electricity is not subject to the kilowatt-hour tax.
- Requires a special payment for a municipal corporation where a user of a substantial amount of wind-generated electricity is located, which must be passed through to the user in some form of financial assistance.



- Specifies that the market price for propane, rather than the market price for diesel, shall be used to determine the petroleum activity tax (PAT) in regard to propane used as a motor fuel.
- Authorizes a PAT deduction on the basis of PAT receipts derived from the sale of tax-paid blend stocks or additives for blended fuel.
- Would have reduced the PAT rate applicable to gross receipts received from the sale of dyed diesel fuel when the end user of the fuel is a railroad company, from 0.65% to 0.26% (VETOED).
- Extends the Ohio Grape Industries earmark of wine excise tax revenue (2%) for two more years.
- Would have limited information the Tax Commissioner may require a person to verify for the purpose of confirming the person's identity (VETOED).
- Would have required the Tax Commissioner to evaluate and report to the General Assembly on the effectiveness of identity-verification measures employed to reduce personal income tax fraud (VETOED).
- Establishes a seven-member commission to review Ohio's tax structure and policies and make recommendations to the General Assembly on how to maximize Ohio's competitiveness by the year 2020 and several tax policy issues.
- Would have authorized a temporary "amnesty" for taxpayers owing delinquent taxes whereby penalties and one-half the interest charges otherwise due are waived, along with criminal or civil action, if the taxpayer paid the outstanding liability and one-half the interest due (VETOED).

### **TPP reimbursements**

- Resumes the phase-out of reimbursement payments to school districts and other taxing units for tangible personal property tax losses.
- Increases the portion of commercial activity tax (CAT) revenue and kilowatt-hour excise tax revenue to be credited to the GRF and reduces the portion used to reimburse school districts and other taxing units for tangible personal property tax losses.

### **Tax credits and exemptions**

- Revises computation of the job creation and retention tax credits so that the credit equals an agreed-upon percentage of the taxpayer's Ohio employee payroll rather than Ohio income tax withholdings.

- Removes the 75% cap on the percentage of Ohio employee payroll (or, under prior law, Ohio income tax withholdings) a taxpayer and the Tax Credit Authority (TCA) may agree to for the purposes of computing the job retention tax credit.
- Authorizes the TCA to require taxpayers to refund all or a portion of job creation or job retention tax credits if the taxpayer fails to substantially meet the job creation, payroll, or investment requirements included in the tax credit agreement or files for bankruptcy.
- Reduces from 60 to 30 days the amount of time a taxpayer has to submit a copy of a job creation or job retention tax credit certificate.
- Revises the role of the Director of Budget and Management, the Tax Commissioner, and the Superintendent of Insurance in evaluating applications for job retention tax credits (JRTCs) and data center sales tax exemptions.
- Authorizes the TCA, upon mutual agreement of the taxpayer and DSA, to revise job creation tax credit (JCTC) agreements originally approved in 2014 or 2015 to conform with the act's revisions to the JCTC.
- Requires the TCA to adjust how JCTC and JRTC credits are computed under agreements approved before 2014 to account for increases or decreases in state income tax rates since June 29, 2013.
- 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.
- Bases the calculation of the Ohio New Markets Tax Credit on the full amount paid for a qualified equity investment, but requires most of that investment to be made in low-income businesses in Ohio.
- Authorizes the Ohio New Markets Tax Credit to be claimed against the retaliatory tax levied on foreign insurance companies.
- Retroactively and prospectively excludes, for purposes of calculating the CAT base, certain intra-supply chain receipts of a manufacturer or distributor of health and beauty products, if the vendor is located within a certain specified territory as another such vendor in the supply chain.
- Authorizes Department of Taxation employees and agents to exchange information with the Department of Insurance to ensure compliance with certain tax credits available to insurance companies.

## Property taxes

- Authorizes any school district that contains, in its territory, a community school with an "exemplary" sponsor to propose a levy for the current operating expenses of the school district and the community school.
- Authorizes school districts other than the Cleveland Metropolitan School District to allocate 100% of the proceeds of such a levy to partnering community schools.
- Would have exempted electric company generation equipment and "other" electric company tangible personal property that is not transmission and distribution or energy conversion equipment from property taxation (VETOED).
- Would have required the Tax Commissioner to annually calculate an increased assessment rate on transmission and distribution property and energy conversion equipment and use the revenue from that increase to reimburse local governments for the revenue they would have lost due to the exemption of generation equipment and other property (VETOED).
- Would have permitted the electric companies to recover from customers, through a reconcilable rider, the payment of the increased tax on transmission and distribution property and energy conversion equipment that would have resulted from the act's changes (VETOED).
- Would have required that all new water-works company tangible personal property first subject to taxation in tax year 2015 or thereafter be assessed at 25% of its true value, instead of 88% as required under ongoing law (VETOED).
- Would have required the rules for real estate appraisal, established by the Tax Commissioner, to include any definitions necessary to clarify appraisal methods, and would have specified that, if the Commissioner did not explicitly designate a rule, "The Appraisal of Real Estate, 14th Edition" and "The Dictionary of Real Estate Appraisal, 5th Edition" published by the Appraisal Institute would be controlling (VETOED).
- Allows unproductive farmland to continue to be valued for property tax purposes according to its current agricultural use value for up to five years if it is used to store materials dredged from Ohio's waters under a contract with certain agencies.
- For the first tax bill due after a mortgage is paid off, requires any property tax late payment penalties to be waived if the mortgage lender fails to notify the county auditor that the mortgage has been satisfied and the tax bill is not mailed to the property owner.
- Requires the county treasurer to maintain a record of the person or agent to whom each tax bill is sent.

- Extends by five years the deadlines by which the owner of a qualified energy project must submit a property tax exemption application, begin construction, and place into service an energy facility using renewable energy resources to qualify for an ongoing real and tangible personal property tax exemption.
- Lengthens, from five years to any number of years or for a continuing period of time, the maximum term of a property tax levy to pay for operating and maintaining public cemeteries.
- Expands eligibility for the fraternal organization property tax exemption to include property used to provide educational or health services on a not-for-profit basis, and not just for meetings and administration.
- Authorizes certain townships to extend pre-1995 tax increment financing property tax exemptions for 15 more years if the township's population is at least 15,000.
- Establishes a temporary procedure by which a municipal corporation may apply for tax exemption and the abatement of unpaid taxes, penalties, and interest charged and payable in 2000 and thereafter for a submerged land lease.

### **Municipal income tax**

- Permits a publicly traded partnership to elect to be taxed as if the partnership were a C corporation for municipal income tax purposes.
- Changes the annual return filing deadline for municipal income taxpayers that are not individuals to the 15th day of the fourth month following the end of the taxpayer's taxable year.
- Requires a municipal tax administrator to grant a taxpayer a six-month filing extension for a municipal income tax return even if the taxpayer did not request a corresponding federal extension.
- Permits a person to file an affidavit notifying a municipal corporation that the person no longer expects to be subject to the municipal corporation's income tax.
- Allows a municipal corporation that has adopted Ohio adjusted gross income as its tax base to make adjustments to that tax base with respect to resident individuals and to require individual taxpayers to file a copy of their Ohio tax return.
- Requires municipal corporations to tax an individual's foreign income under certain specified circumstances.
- Authorizes a municipal corporation that shares at least 70% of its territory with a school district to enter into an agreement to share income tax revenue with the school district, provided that a portion of the remaining 30% of the school district territory lies within another municipality with a population of 400,000 or more.

- Allows the municipal corporation to levy the revenue-sharing income tax on both residents and nonresidents.
- Clarifies a municipal income tax law, effective January 1, 2016, that requires all municipalities to allow a deduction for net operating losses (NOLs) but temporarily reduces the deduction allowed for any NOL incurred after 2016 and claimed for taxable years 2018 through 2022 to 50% of the amount otherwise allowed.
- Specifies that taxpayers seeking damage awards on the basis of actions or omissions regarding municipal income taxes may sue the municipal corporation, but not the tax administrator.
- Requires municipal corporations to publish a summary of taxpayers' rights and responsibilities online.

**Other local taxes**

- Authorizes a county meeting certain requirements to levy an additional 1% lodging tax for the purpose of constructing and maintaining county-owned sports facilities.
- Authorizes a certain county to levy a lodging tax of 3% or less for up to 5 years to pay for permanent improvements at sites where a county or independent agricultural society conducts fairs or exhibits.
- Authorizes a certain county to increase its general lodging tax rate by 1% to pay the costs of constructing and maintaining a sports park and promoting tourism and to enter into a cooperative agreement with port authorities, nonprofit corporations, and operating companies governing the construction, financing, and operation of a sports park.
- Authorizes a certain county located on the Lake Erie shore to levy an additional lodging tax of up to 2% to fund the construction of port authority facilities located within one mile of Lake Erie.
- Authorizes two counties to each levy an additional lodging tax of up to 3% to fund permanent improvements.
- Authorizes townships and municipal corporations located in Stark County to designate a special district of not more than 200 acres as a tourism development district (TDD) before 2019 in which a gross receipts tax, admissions tax, or certain rental fees may be imposed to fund the promotion of tourism.
- Authorizes counties and transit authorities to pay to a subdivision creating a TDD an amount equal to increased county or transit authority sales tax collections by businesses in the TDD.

**Administration of county 9-1-1 assistance**

- Requires the Tax Commissioner to transfer funds remaining in the Wireless 9-1-1 Government Assistance Fund to the Next Generation 9-1-1 Fund at the direction of the Statewide Emergency Services Internet Protocol Network Steering Committee, rather than after monthly disbursements are made to counties.
- Requires that any shortfall in monthly disbursements to counties from the Wireless 9-1-1 Government Assistance Fund be remedied in the following month.

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**DEPARTMENT OF TRANSPORTATION****Contents of a public-private (P-3) agreement**

- Limits the requirement that a P-3 agreement contain a contract performance bond and a payment bond to only those agreements that contain a construction services component.
- Requires a contract performance bond or payment bond, for purposes of a P-3 agreement, to be executed by a surety authorized by the Department of Insurance to write surety bonds.
- Removes a provision that required a contract performance bond or payment bond under a P-3 agreement to be in conformance with any terms or conditions specified by the Director of Transportation.

**Funding for airport improvements (PARTIALLY VETOED)**

- Creates the Airport Improvement Fund, and requires the Director to distribute money in the Fund to provide matching funds, loans, and grants for aviation infrastructure and economic development projects.
- Would have required the Director to prepare draft legislation that would direct that all revenue from the sales and use tax on aviation fuel be used for aviation infrastructure and economic development projects (VETOED).

**Traffic light relocation (VETOED)**

- Would have required the Director to relocate a traffic light in Clinton County that is located at the intersection of the off ramp of the northeast bound lanes of I-71 and S.R. 73 to the intersection of S.R. 73 and S.R. 380 (VETOED).

**Study, reports**

- Requires the Joint Legislative Task Force on Department of Transportation Issues to study the cost and feasibility of establishing a limited driving privilege license.

- Extends the deadline for the report that the Maritime Port Funding Study Committee must issue from January 1, 2015, to January 1, 2016.
- Requires ODOT to submit a quarterly report on Minority Business Enterprise (MBE)/Encouraging Diversity, Growth and Equity (EDGE) compliance to the majority and minority leaders of the General Assembly and the Governor to reaffirm compliance with federal and state mandates.

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## **TREASURER OF STATE**

### **Agricultural Linked Deposit Program**

- Modifies the Agricultural Linked Deposit Program, as follows:
  - Until July 1, 2020, makes agricultural businesses with land in the western basin of the state eligible for larger reduced rate loans if the businesses certify that the loans will materially contribute to their compliance with provisions of S.B. 1 (131st General Assembly) restricting the surface application of manure;
  - Provides an alternative interest rate at which a lending institution may lend the linked deposit to eligible agricultural businesses;
  - Increases the period of time in which a lending institution may lend the funds after placement of the linked deposit with the institution.

### **Public depositories: pledging of security**

- Modifies the Uniform Depository Law relative to the pledging of security for the repayment of uninsured public deposits that is required of financial institutions designated public depositories, as follows:
  - Requires the perfection of security interests in the eligible securities pledged by the public depositories in accordance with state and federal laws;
  - Modifies the total market value of pledged securities that is required;
  - Requires the Treasurer of State to create the Ohio Pooled Collateral Program not later than July 1, 2017, and, upon creation of the Program, terminates the prior procedures for a public depository to pledge a single pool of securities to secure the repayment of all public moneys deposited in that financial institution;
  - Under the Program, requires a public depository to pledge the entire pool of securities to the Treasurer of State, rather than to the public depositors, as was required under prior law;
  - Makes other procedural changes with respect to the pledging requirements.



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## DEPARTMENT OF VETERANS SERVICES

- Clarifies that the moratorium prohibiting induction of a person into the Ohio Veterans Hall of Fame may be waived by its Executive Committee if the person is over 70 and regardless of whether the person holds a qualifying position.

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## STATE VETERINARY MEDICAL LICENSING BOARD

- Authorizes the State Veterinary Medical Licensing Board to suspend the certificate of license of an individual without first holding a hearing if the Board's Executive Director recommends the action after determining both:
  - There is clear and convincing evidence that certain conditions apply to or certain actions have been committed by the individual, including alcohol or drug addiction and cruelty to animals;
  - The individual's continued practice presents a danger of immediate and serious harm to the public.
- Establishes procedures to be followed for the suspensions.
- Automatically suspends the license or registration of an individual who is found guilty of, has pleaded guilty to, or is subject to a judicial finding in relation to specified crimes, including murder and felonious assault.
- Removes the requirement that an individual seeking to take a nationally recognized veterinary examination apply to the Board for permission to take it.
- Increases the cost of an initial veterinary license by \$50.
- Removes the fee charged for examinations offered by the Board.
- Expands the list of veterinary college approval entities to include the Program for the Assessment of Veterinary Education Equivalence of the American Association of Veterinary State Boards, and removes the Board's ability to approve other certification programs.

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## DEPARTMENT OF YOUTH SERVICES

- Modifies the composition of the Department of Youth Services Release Authority to a minimum of three but not more than five members.

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## LOCAL GOVERNMENT

- Permits a political subdivision to enter into a sale and leaseback agreement under which the legislative authority conveys a building to a purchaser who must lease all or portions of it back to the legislative authority.
- Requires the agreement to obligate the lessor to make public improvements to the building.
- Permits a board of township trustees, by resolution, to authorize acceptance of payments for township expenses by financial transaction devices, and specifies procedures for implementing a program to accept these payments.
- Permits a board of township trustees to authorize, by resolution, the payment of the township's lawful obligations by direct deposit of funds by electronic transfer.
- Allows a township to contract with any department, agency, or political subdivision for the purchase or sale of a motor vehicle.
- Authorizes a board of township trustees to purchase real or personal property at public auction through a designee.
- Allows a township to appropriate money for a community improvement corporation to fund any of the corporation's activities and programs, rather than solely to defray the corporation's administrative expenses.
- Removes the minimum population necessary for a county to be able to implement procedures for the effective reutilization of nonproductive land through a county land reutilization corporation.
- Extends the time during which local governments may enter enterprise zone agreements with businesses by two years, to October 15, 2017.
- Increases the competitive bidding limit for conservancy district contracts for improvements from \$25,000 to \$50,000.
- Permits the use of a minimum security jail for a person charged with a traffic violation, misdemeanor, or fourth or fifth degree felony who has not been released on bail and is confined in jail pending trial, if the person is classified as a minimal security risk.
- Enables certified local government building departments to issue building permits, conduct inspections, and conduct certain other administrative actions in relation to a park district if the park district's board so requests.
- Permits a regional transit authority to apply for and accept grants and loans from any private source for the purpose of taking specified actions related to transit

facilities and systems, and to acquire real and personal property by borrowing from any federal, state, other governmental, or private sources.

- Adopts, until January 1, 2017, in a chartered county with a population of at least 1 million, a lower petition signature threshold for purposes of annexing of municipal territory to a contiguous municipal corporation.
- Specifies the disposition of charter county hospital funds and the permissible investment of such funds by the hospital board.

### **Pay increases**

- Increases the salaries of county sheriffs and prosecuting attorneys by 5% per year for calendar years 2016 through 2019, and reduces the number of pay classes for sheriffs and prosecuting attorneys from eight to six beginning in 2017.
- Increases the annual salaries of county auditors, county treasurers, common pleas court clerks, county recorders, county commissioners, county engineers, and coroners by 5% in 2016 and by 5% in 2017.
- Reduces from eight to six the number of population classes used to determine the salaries of these county elected officers, starting in 2017.
- Increases an appropriation for Operating Expenses – Judiciary/Supreme Court by \$33,840 in FY 2017 to pay the state's share of salary increases for common pleas court clerks.
- Increases the per diem compensation amount for township trustees and the annual compensation of township fiscal officers by 5% in 2016 and by 5% in 2017.
- Revises the monetary size of the budgetary amounts that determine the pay ranges for township trustees and township fiscal officers, starting in 2016.
- Increases the annual compensation of members of boards of elections by 5% in 2016 and by 5% in 2017.
- Does not reinstate the annual cost-of-living adjustment that was last applied in 2008 to the salaries of those local elected officials.

### **Report of traffic camera penalties; LGF reductions**

- Requires each local authority that operated a traffic camera between March 23, 2015, and June 30, 2015, to file either of the following with the Auditor of State by July 31, 2015:
  - If the local authority has complied with the Traffic Camera Law, a statement of compliance with the Traffic Camera Law;

--If the local authority has not complied with the Traffic Camera Law, a report including the civil fines the local authority has billed to drivers for any violation that is based upon evidence recorded by a traffic camera.

- Requires any local authority that operates a traffic camera to submit a report or statement of compliance to the Auditor of State every three months beginning with the three-month period that commences July 1, 2015.
- Suspends Local Government Fund (LGF) payments to a subdivision that fails to comply with the reporting requirements.
- Reduces LGF payments to a subdivision that has not complied with the Traffic Camera Law and that reports fines, and redistributes that amount among other subdivisions in the county.

### **Township removal of unsafe buildings**

- Specifies that, if a board of township trustees pursues action to remove an insecure, unsafe, or structurally defective building or other structure, the board must notify each party in interest that the party is entitled to a hearing.
- Requires a party in interest to request a hearing within 30 days after the notice is mailed.
- Requires the board to issue an order resolving the matter, and specifies that a party in interest who requested and participated in a hearing and is adversely affected may appeal the order to the court of common pleas.
- Specifies that the cost of removing, repairing, or securing the building or other structure must be paid out of the township general fund, but that money may be borrowed if the cost exceeds \$500.
- Specifies that the cost may be collected by placing it on the tax duplicate or by a lawsuit.
- Removes a provision specifying that when costs have been placed on the tax duplicate, the resulting lien can be collected the same as other taxes are collected.

### **Maintenance of buffer around drinking water reservoir**

- Requires a municipal corporation that has a watershed management program with regard to a drinking water reservoir to allow an owner of property that is contiguous to a buffer around the reservoir to maintain the buffer if the maintenance is for specified purposes.
- Prohibits peace officers and other specified officials from issuing a citation to an individual who enters the buffer for the sole purpose of mowing vegetation or for any of the specified purposes.

**Regional councils of government**

- Permits an educational service center serving as a fiscal agent for a regional council of governments to establish an infrastructure loan program for the member governments.
- Permits a regional council of governments established to provide health care benefits to pool funds, including from out-of-state members, for the payment of health care related claims and expenses.

**Health district licensing councils**

- Makes the establishment of a health district licensing council in a city health district, general health district, or combined district permissive, rather than mandatory, at the discretion of the board of health.
- Eliminates a discrepancy in the law by clarifying that the licensing council appoints one member to the board of health, rather than appointing one of its own members to the board of health.

**Refunding general obligation debt**

- Modifies the last maturity of refunding securities issued by a subdivision.
- Expands the types of securities a subdivision may issue to fund or refund various types of outstanding securities.
- Expands the types of securities that a subdivision may issue securities to fund or refund.
- Specifies when certain special obligations issued to fund or refund other securities are payable.
- Authorizes a subdivision to hold in cash any money derived from proceeds of securities issued to fund or refund other securities or obligations that is in escrow.

**Cemeteries**

- Allows a board of township trustees or a board of cemetery trustees to use the principal of a permanent cemetery endowment fund to maintain a cemetery if income from the fund is insufficient for this purpose and the board unanimously consents.
- Grants townships the right of reentry for burial lots for which the deed of sale was executed prior to July 24, 1986, and for an entombment, columbarium, or other interment right for which the terms of sale or deed was executed before September 29, 2015.

- Expands the provisions regarding a township sale of burial lots to other interment rights, including entombment or columbarium.

**Force account limits for townships (VETOED)**

- Would have required a board of township trustees to use competitive bidding with regard to road maintenance or repair contracts exceeding \$90,000 rather than \$45,000 as under continuing law (VETOED).
- Would have required a county engineer to conduct a force account assessment when a board proceeds by force account (i.e., using township employees, materials, etc.) for a road maintenance or repair project that costs \$45,000 or more rather than \$15,000 or more as under continuing law (VETOED).
- Would have required a board to use competitive bidding with regard to road construction or reconstruction contracts exceeding \$30,000 per mile rather than \$15,000 per mile as under continuing law (VETOED).
- Would have required a county engineer to conduct a force account assessment when a board proceeds by force account for a road construction or reconstruction project that costs \$15,000 or more per mile rather than \$5,000 or more per mile as under continuing law (VETOED).

**New community authorities**

- Eliminates or makes permanent provisions that applied only to new community authorities established between March 22, 2012, and March 22, 2015.
- Includes telecommunications facilities in the definition of "community facility."
- Shifts various roles from the board of county commissioners with which the petition was filed to the organizational board of commissioners.
- Eliminates the requirement that the acreage included in a proposed new community district be developable as one functionally interrelated community.
- Specifies differing hearing and notice requirements if the organizational board of commissioners is the legislative authority of the only proximate city for the proposed new community district.
- Eliminates the requirement that the organizational board of commissioners' resolution be entered of record in its journal and in the journal of the board of county commissioners with which a petition was filed.
- Modifies how the property of a new community authority is distributed upon dissolution.

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## MISCELLANEOUS

### **OhioMeansJobs registration**

- Requires, beginning in 2016, participants in certain training or education programs and recipients of specified vocational rehabilitation services to create an account on the OhioMeansJobs website by specified times.
- Exempts certain individuals from those requirements.

### **OhioMeansJobs Revolving Loan Fund**

- Transfers the duty to service loans under the OhioMeansJobs Workforce Development Revolving Loan Fund Program, and other Program duties, from the Chancellor of Higher Education to the Treasurer of State.
- Requires an institution that receives Program funds to apply the loan proceeds to costs for Program participants who satisfy an institution's eligibility requirements for the loan, instead of disbursing the loan to Program participants as under prior law.
- Requires the first loan under the Program to go to the Lorain County Community College to establish and operate the Ready Mix Truck Driver Training Program.

### **Estate law**

- Permits the transfer to a surviving spouse of one watercraft trailer of the decedent associated with the transfer of a watercraft or outboard motor.
- Allows executors the same commissions as existed before repeal of the estate tax.
- Unless a certificate of termination is filed, requires that annual accounts or waivers of partial accounts be made until the estate is closed.

### **Division of marital property**

- Makes technical corrections to the law governing the division of marital property.

### **General Assembly members at state buildings**

- Requires a state agency to recognize, at all entry points and check points within the state agency's building or office, without requiring additional credentials, the state identification card of a member, officer, or employee of the General Assembly.

### **Joint Education Oversight Committee**

- Establishes the Joint Education Oversight Committee to select, for review and evaluation, education programs at school districts, other public schools, and state institutions of higher education that receive state financial assistance in any form.



**Joint Legislative Committee on Multi-system Youth**

- Creates the ten-member Joint Legislative Committee on Multi-system Youth and requires it to submit a report to the General Assembly and the Governor by December 31, 2015, and cease to exist after its submission.
- Requires the Committee to identify:
  - The services currently provided to multi-system youths and the costs and outcomes of those services;
  - Existing best practices to eliminate custody relinquishment as a means to receive services;
  - The best methods for person-centered care coordination; and
  - A system to monitor the progress of these youths in residential placement.
- Requires the Committee to recommend a funding and service delivery system to meet the needs of all multi-system youths.
- Defines a multi-system youth as a youth who is in need of services from two or more of (1) the child welfare system, (2) the mental health and addiction services system, (3) the developmental disabilities services system, or (4) the juvenile court system.

**Grace Commission; sunset review**

- Establishes the Grace Commission to review all expenditures of state government for FY 2015.
- Requires the Sunset Review Committee to consider and evaluate the usefulness, performance, and effectiveness of certain agencies, and to report its findings and recommendations.

**Montgomery County Workforce Study Committee (VETOED)**

- Would have created the Montgomery County Workforce Study Committee to study workforce development issues and trends in the Montgomery County region, including workforce development system options for in-demand jobs and identifying supply and demand of in-demand job areas (VETOED).

**Conveyances (PARTIALLY VETOED)**

- Would have repealed a previously authorized state land conveyance of real estate located in Delaware County (VETOED).
- Authorizes the Governor to execute a release of any and all rights of reversion for the benefit of the state and any deed restrictions and covenants with respect to the construction on or use of certain real estate in the city of Moraine.

- Authorizes the conveyance of state-owned real estate in Lucas County, known as One Government Center, to the city of Toledo or to an alternative grantee at a price acceptable to the Director of Administrative Services.

### **Eastern European Month**

- Designates and encourages commemoration of April as "Eastern European Month."

## **Sub. H.B. 340**

*(For details of fiscal provisions of the act, see the LSC Fiscal Note, As Enacted, at*

*<https://www.legislature.ohio.gov/download?key=2328&format=pdf>)*

**Reps.** Amstutz, Rogers, Duffey, Grossman, Sweeney, Hambley, Ryan, R. Smith, Baker, Hackett, Ruhl, Young, Derickson, Ginter, Anielski, Antonio, Arndt, Boose, Boyce, Brown, Buchy, Burkley, Conditt, Craig, Cupp, Dovilla, Green, Hagan, Hall, Henne, Kunze, Leland, Maag, McClain, M. O'Brien, Patterson, Reece, Retherford, Scherer, Schuring, Sears, Slesnick, K. Smith, Sprague, Stinziano, Strahorn, Rosenberger

**Sens.** Coley, Eklund, Faber, Hite, Oelslager, Seitz

**Effective date:** Emergency, December 22, 2015

### **Local government**

- Extends the operation of the Local Government Innovation Council until December 31, 2019.
- Defines "political subdivision" for purposes of the Local Government Safety Capital Grant Program, which is administered by the Council.
- Authorizes the issuance of Clean Ohio Conservation Fund grants to lake facilities authorities (LFAs).
- Increases the competitive bidding threshold for LFA construction contracts from \$25,000 to \$50,000.

### **Education**

- Revises the qualifications for private high schools located outside of the Cleveland Municipal School District to participate in the Cleveland Scholarship Program.
- Revises the "third-grade reading proficiency percentage" used to calculate the third-grade reading bonus that is paid to qualifying school districts and community schools.
- Requires the State Board of Education to issue an "administrator license," rather than an "alternative administrator license," to an individual who completes the Bright New Leaders for Ohio Schools Program and satisfies rules for obtaining that license.

- Limits the recently enacted exclusion from state retirement systems of certain persons employed by a community school operator to those employed by an operator that, on or before February 1, 2016, was withholding and paying Social Security taxes for persons employed in that school.

## **Taxation**

- Authorizes a reduction in the commercial activity tax for railways' purchases of dyed diesel fuel.
- Eliminates the regulatory assessments imposed on certain financial institutions by the Division of Financial Institutions to fund the Division's operations, and repeals the financial institutions tax credit allowed to those institutions for the payment of the assessments.
- Authorizes a qualifying partnership formed by a career-technical education compact, subject to voter approval, to issue general obligation bonds for the purpose of acquiring the classroom facilities.
- Increases the maximum principal amount and maturity of notes issued by a qualifying partnership in anticipation of a property tax levy to 75% of the estimated levy proceeds and ten years, respectively.
- Corrects an error related to the law authorizing a property tax exemption for fraternal organizations.

## **Workforce Grant Program**

- Creates the Workforce Grant Program to award grants to eligible students who are pursuing a degree, certification, or license that is required to be employed in a job considered to be an in-demand job in Ohio or one of its regions, and terminates the program on December 31, 2019.
- Requires the Director of Job and Family Services to determine Ohio regions, and the Department of Job and Family Services to work with public or private institutions (in addition to the Governor's Executive Workforce Board as under continuing law) to identify jobs that are in demand in Ohio and its regions.
- Caps each grant at \$5,000, not to exceed 75% of the cost of tuition per year, and distributes the largest portion of the grant at the end of the student's academic program.
- Requires the Chancellor of Higher Education to adopt rules for operating the program.
- Requires the Chancellor, in consultation with the Governor's Office of Workforce Transformation and the Departments of Job and Family Services and Taxation, to

develop a methodology for collecting information regarding grants awarded and to perform a cost-benefit analysis of program costs against grant recipients' earnings.

- Requires the Department of Higher Education to issue a request for proposals to coordinate and conduct the statewide promotion of the program.
- Requires the Department, in consultation with the Department of Education, to establish a procedure for school counselors to distribute information about the program to Ohio high school students.

### **Health and human services**

- Provides that a certificate of need (CON) for a long-term care facility does not have to be denied because of a previous proposed license revocation notice for a nursing home owned or operated by the CON applicant or a principal participant, if the notice was issued solely because the nursing home had already closed or ceased operations.
- Provides that a prohibition against assigning or transferring the right to operate a nursing home, county or district home, or residential care facility that is the subject of a revocation notice or other disciplinary order does not apply if the notice or order is issued solely because the home or facility has already closed or ceased operations.
- Makes changes to the definition of an "owner" of a child day-care center, type A family day-care home, or licensed type B family day-care home.
- Corrects a statutory cross-reference in the laws pertaining to the criminal records check that a person must undergo when seeking to practice as a dispensing optician or ocularist.

### **Other provisions**

- Requires OSU Extension to pay any fee required under the Criminal Records Check Law if any Extension policy or guideline requires 4-H volunteers to be fingerprinted for a criminal records check.
- Eliminates recently enacted law (in H.B. 64) stipulating that OSU Extension could require only individuals who become 4-H volunteers on or after September 29, 2015, to be fingerprinted and to be fingerprinted only once.
- Specifies that personal leave used by a legislative employee is to be deducted from the employee's leave balance in the manner prescribed by the employee's administrative authority.
- Permits the Treasurer of State to determine by rule the total market value of securities that must be pledged to secure the repayment of all uninsured public

deposits at a particular public depository, as part of the Ohio Pooled Collateral Program.

- Requires a public depositor to be responsible for periodically confirming the accuracy of its account balance with the Treasurer; otherwise, the Treasurer is the sole public depositor responsible for monitoring and ensuring the sufficiency of securities.
- Postpones the expiration of agencies by operation of the Sunset Review Law until December 31, 2016, thereby preventing affected agencies from expiring until after they have been reviewed by the Sunset Review Committee during the 131st General Assembly.