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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 101*
135th General Assembly

Bill Analysis

[Click here for H.B. 101's Fiscal Note](#)

Version: As Re-reported by Senate Finance

Primary Sponsors: Reps. Bird and Schmidt

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SUMMARY

Village dissolution

- Allows the question of dissolution to be placed on the ballot only at a general election held in an even-numbered year.
- Modifies the process for winding up the affairs of a dissolved village by doing the following:
 - Requires a Transition Supervisory Board to be established and requires the Board to supervise the various aspects of the transition.
 - Requires the appointment of a receiver-trustee to perform certain duties including the collection of taxes, resolution of debts, distribution of property, continuity of utility services, handling of public records requests, and other matters.
 - Requires former village officials to assist the Board.

Geauga County prosecuting attorney

- Requires the Geauga County prosecuting attorney to prosecute all violations of state law arising within the unincorporated areas of Geauga County.

Competitive bidding

- Increases the competitive bidding threshold amount to \$75,000 for villages and park districts.

* This analysis was prepared before the report of the Senate Finance Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

F-9 liquor permits

- Modifies the eligibility requirements for the issuance of an F-9 permit as follows:
 - Expands the eligible applicants to include a nonprofit that provides or manages entertainment programming at a municipal park pursuant to an agreement with the municipal corporation that owns the park;
 - Eliminates a requirement that park property that is the subject of an F-9 permit be located in Franklin County and be the subject of an agreement between various entities for the hosting of art or music performances.
- Allows a person to possess an opened container of beer or intoxicating liquor that has been lawfully purchased for on-premises consumption from an F-9 permit holder.
- Continues to allow a person to possess on an F-9 permit premises a container of beer or intoxicating liquor that was not purchased from an F-9 permit holder with the permission of the permit holder, but eliminates qualifications that only allow a person to do so if certain conditions apply, including attending a free art or music performance.

Large Settlements and Awards Fund

- Creates a Large Settlements and Awards Fund and directs the proceeds of any court order, judgment, settlement, or compromise exceeding \$5 million to the fund.

Treasurer of State

- Specifies that certain records related to the linked deposit programs from the Treasurer of State and participating financial institutions are not subject to Public Records Law.
- Specifies the termination date for public depositories designated on or around July 4, 2022, is on the day before the first Monday of July 2025.

Primary and secondary education

- Increases the minimum state share percentage for joint vocational school districts (JVSDs) from 5% to 10% for FY 2024 and FY 2025.
- Qualifies a child for the Autism Scholarship Program if, in addition to other requirements, the child is eligible to enter school in any of grades preschool through 12 during the school year in which a scholarship is first sought.
- Clarifies that projects that receive conditional approval during 2023 are subject to the 16-month time period during which voters must approve bonds and tax levies for a project granted conditional approval from the Ohio Facilities Construction Commission.
- Continues a school district's or community school's authority to employ an educator to teach outside of the educator's designated grade band beyond December 29, 2023.
- Clarifies that the State Board of Education, rather than the Department of Education and Workforce, is responsible for criminal records checks and RAPBACK enrollment of holder of pre-service teaching permits.

- Requires the Department, rather than the State Board, to adopt and as necessary update reading competencies for all reading credentials and training.
- Removes the Director of Education and Workforce from the Educator Standards Board and its subcommittees.
- Makes corrective changes related to the establishment of the Department and the transfer of State Board and Superintendent of Public Instruction powers and duties.

Higher education

- Exempts private, nonprofit colleges and universities from posting certain information regarding institutional debt on its website.
- Abolishes the Center for Civics, Culture, and Society at the University of Cincinnati.
- Establishes a Center for Civics, Culture, and Workforce Development at Wright State University.
- Transfers from the University of Cincinnati to Wright State a \$2 million appropriation to support the center.

Doula services

- Modifies provisions establishing doula certification by the Board of Nursing and creating a Medicaid program to cover doula services.

Reporting election results

- Requires boards of elections and the Secretary of State to transmit election results, including those of county court judge and municipal court judge, to the Administrative Director of the Supreme Court by email or other telecommunication device.
- Requires election results on the Governor, members of Congress, and others to be emailed to the Senate President, rather than mailed.

STRS membership for pre-service teaching

- Includes, as State Teachers Retirement System members, student teachers who hold pre-service teacher permits and are employed as substitute teachers, and excludes them from School Employees Retirement System membership.

Public address information for respiratory care applicants

- Eliminates a requirement that the State Medical Board's register of applicants and licensees show the residential address of applicants to practice respiratory care.

9-1-1 charges and fees

- Repeals current law that exempts wireless service priced under \$5 per month from the Next Generation 9-1-1 access fee under continuing law.

- Modifies the payment sources for refunds of wireless 9-1-1 charges and next generation 9-1-1 access fees.

Tax deduction for homeownership savings account contributions

- Makes clarifying changes to a recently enacted income tax deduction for contributions to homeownership savings accounts.

Tax law technical corrections

- Makes technical corrections to various tax law provisions that were amended or enacted in H.B. 33 of the 135th General Assembly, the main appropriations act.

Preschool and school child programs

- Revises the law effective January 1, 2025, governing minimum standards for licensed preschool and school child programs, including by requiring the Department of Children and Youth to adopt those standards in rule, rather than to do so jointly and in consultation with the Director of Education and Workforce.

Other appropriations

- Makes other appropriations.

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DETAILED ANALYSIS

Village dissolution

There are three pathways to a village dissolution: surrender of corporate powers by the electors, dissolution of a village in fiscal emergency, and dissolution of a village that meets population, size, and other factors.¹ The bill modifies one aspect of the first pathway (surrender by the electors), and overhauls the process for winding up the affairs of a dissolved village. For more information about the pathways, please read LSC’s Members Brief on [Village Dissolution \(PDF\)](#), available at lsc.ohio.gov. The Members Brief also provides an overview of the existing process utilized to wind up the affairs of a dissolved village; this analysis will note only the major differences between the existing process and the new process under the bill. Under the bill, no matter how a dissolution is initiated, all will utilize the same process to wind up the village’s affairs.²

Surrender by electors

The bill modifies when a question of dissolution may appear on the ballot. Currently, the residents of a village may submit a petition to the village’s legislative authority to put the question of dissolution on the ballot; the legislative authority must hold a special election. If the legislative authority fails to do so, the petitioners may file the petition with the board of elections, which must place the question on the ballot at a special or general election. The bill changes this by requiring the question to appear only at an election held in November of an even-numbered year.

The bill specifies that a petition, which is filed with the board of elections for the dissolution of a village, is only valid if it is filed during an even-numbered year on or after July 1, and at least 90 days before the next general election. This provides approximately one month to file a petition. Additionally, this provision limits to approximately four months the amount of time that a village would have to operate under the restrictions described below under **“Dissolution in question.”**³

¹ R.C. 703.33 (formerly R.C. 703.20), 118.31, and 703.34 (formerly R.C. 703.201).

² R.C. 703.32. Currently, all proceed under the same process (former R.C. 703.21, repealed by the bill), but a receiver-trustee is appointed to assist when the dissolution is initiated due to a fiscal emergency. R.C. 118.31.

³ R.C. 703.33.

Dissolution in question

While a dissolution is in question but not yet decided,⁴ the bill prohibits the village from creating any new debts, obligations, or liabilities unless necessary to continue providing utilities. Once it is decided a dissolution will not occur, the village may resume its normal activities.⁵

Because a village will cease to exist quickly upon a decision being made (by the electors or by the court), the bill also requires a village – while the dissolution is in question – to select an official or employee of the village to act as a representative during a dissolution should one occur. The representative must be knowledgeable on village matters and, if a dissolution occurs, the representative will assist in winding up the village’s affairs.⁶ If the village did not select a representative before being dissolved, one will be selected after the dissolution.⁷

Dissolution is effective

Once it is decided a dissolution will occur (the bill refers to this date as the “date the dissolution is effective”),⁸ the following take effect:⁹

- The village ceases to exist and its officials cease to hold office.
- All laws of the village are extinguished; no new laws can take effect (except some tax laws; see “**Taxes**,” below).
- All leases terminate as specified in the respective lease agreements.¹⁰
- A “Transition Supervisory Board” is created (see “**Transition Supervisory Board**,” below).
- The territory of the village becomes part of the township or townships in which the village was located, along existing township boundaries.¹¹

⁴ Beginning when the electors file a petition to place the question of dissolution on the ballot and ending when the election result is certified. Alternatively, beginning when the Attorney General initiates a legal action and ending when the court makes its decision. R.C. 703.31.

⁵ R.C. 703.35(A).

⁶ R.C. 703.35(B).

⁷ R.C. 703.361(F).

⁸ The date an election result in favor of dissolution is certified or a court’s order of dissolution is filed. R.C. 703.31.

⁹ R.C. 703.36. Unrelated to the bill, a dissolution taking effect also terminates the existence of a financial planning and supervision commission that exists with respect to the dissolved village. See R.C. 118.27. See also R.C. 703.23, requiring courts to take judicial notice of a dissolution.

¹⁰ The Transition Supervisory Board resolves any disputes regarding lease terminations.

¹¹ The Transition Supervisory Board resolves any ambiguities regarding territory.

- All resolutions of the township apply in the territory as applicable, including zoning resolutions (or county zoning may apply).

Transition period

The “transition period” is when the work is done to wind up the affairs of the village. The period begins on the date the dissolution is effective and ends when the Transition Supervisory Board determines all outstanding debts, obligations, and liabilities of the dissolved village have been resolved, all real and personal property of the dissolved village has been transferred or otherwise disposed of, and all utility property and utility services have been transferred.¹²

Transition Supervisory Board

The Transition Supervisory Board is responsible for managing the transition of the dissolved village. The Board has three voting members: the county auditor, the county recorder, and one county commissioner. The Board also has, as a nonvoting member, a township representative from each township affected by the dissolution; it must be a township trustee or the township fiscal officer. The county auditor is the chairperson.¹³ If the general election that determined the date the dissolution is effective also included an election for an office in which the office holder is designated as a Board member, the individual declared as elected to the office must serve on the Board. Further, the bill prohibits an individual who is a resident of the dissolved village from serving on the Board. Such an individual who is designated as a Board member must designate a suitable replacement to serve on the Board.¹⁴

The “village representative” (discussed above) and the individuals serving as fiscal officer and primary legal counsel before the village dissolved are required to provide consultation to the Board.¹⁵

The Board appoints and supervises a receiver-trustee (from a list of options provided by the Auditor of State) to assist the Board with winding up the dissolved village’s affairs.¹⁶

The receiver-trustee has the following duties under the bill:¹⁷

- Resolve the outstanding debts, obligations, and liabilities of the dissolved village;
- Approve necessary operations and budgetary functions of the dissolved village;

¹² R.C. 703.31 and 703.37.

¹³ R.C. 703.361(A) and (B). If a village is located in more than one county, the county members from the county wherein a majority of the village was located serve on the Board.

¹⁴ R.C. 703.361(A)(3) and (4).

¹⁵ R.C. 703.361(F).

¹⁶ R.C. 703.361(E). If necessary, the Board may replace the receiver-trustee with the Auditor of State’s approval.

¹⁷ R.C. 703.362.

- Settle or resolve any legal claims against the dissolved village (claimants have 90 days to bring a claim);¹⁸
- Administer and collect taxes and special assessments levied by the dissolved village;
- Wind down the dissolved village's involvement in community improvement corporations, special improvement districts, and tax increment financing arrangements;
- Dispose of the dissolved village's real and personal property;
- Manage the dissolved village's utility services, then transfer them;
- Respond to requests for the dissolved village's public records and transfer custody of the records to the proper entity;
- Conduct all other necessary business to conclude the village's affairs.

The bill specifies the Board is subject to the Open Meetings Law¹⁹ and that the Board is not liable for acting in accordance with the bill's requirements except for liability imposed as a result of a finding for recovery or other citation in the Auditor of State's final audit of the dissolved village.²⁰ The Board exists until the Auditor of State completes the final audit of the dissolved village.²¹

Taxes

If the receiver-trustee determines that the revenue from an existing municipal property or income tax or special assessment is needed to pay any outstanding debts, obligations, or liabilities of a dissolved village, those taxes or assessments can continue to be levied and collected after the dissolution is effective solely to pay those obligations. During the transition period, the receiver-trustee administers and receives payments and settlements of the taxes. After the transition period, the payments are administered by the fiscal officer of the township that assumed most of the village's territory. Once those obligations are paid in full, the taxes may no longer be levied in subsequent tax years or taxable years. Within 30 days after the date on which the obligations are paid in full, the receiver-trustee or township fiscal officer administering the tax must notify county auditor and other members of the appropriate county budget commission, in the case of property taxes, or the Tax Commissioner, in the case of income taxes, of which taxes will no longer be levied and the date on which the outstanding obligations were paid in full.²²

¹⁸ 90 days from the date the receiver-trustee is appointed. Any claim brought after that date is void. R.C. 703.39.

¹⁹ R.C. 121.22, not in the bill.

²⁰ R.C. 703.361(C) and (D).

²¹ R.C. 703.361(G).

²² R.C. 703.371(A), (C), and (E).

If the revenue from an existing tax or special assessment is not needed to pay the dissolved village's outstanding obligations, it can no longer be levied after the tax year or taxable year which includes the date on which the dissolution is effective. Within 30 days after that date, the receiver-trustee or township fiscal officer administering the tax must notify the county auditor and other members of the appropriate county budget commission, in the case of property taxes, or the Tax Commissioner, in the case of income taxes, of which taxes will no longer be levied and the dissolution's effective date.²³

Property taxes levied by the township(s) into which a village is dissolved on all property within the township begin to apply to property within the former boundaries of the village in the tax year after which the village's property taxes are no longer levied. Property taxes which are levied on a portion of a township's property must be amended to include property in the village's former territory.²⁴ Taxes levied by subdivisions other than such townships continue unimpeded by the dissolution of the village.²⁵

Under the bill, refunds of illegal, erroneous, or excessive payments made by taxpayers to the dissolved village pursuant to a municipal income tax are considered outstanding debts of the dissolved village. During the transitional period, the receiver-trustee must estimate the amount of refunds likely to be requested and approved from the date the dissolution is effective to the first day of the fourth year following the last year those taxes are levied. (Municipal income tax refunds must generally be requested within four years after an overpayment is made.) 110% of that estimate must be deposited into a separate fund, administered by the absorbing township's fiscal officer, to pay such refunds. After four years, the fund is extinguished and distributed among the townships into which the village dissolved in proportion to the amount of territory each township absorbed. The revenue must be used to benefit the territory of the dissolved village. No refund claims may be brought for the dissolved village's taxes after the fund is extinguished.²⁶

The bill requires any revenue collected from municipal taxes and assessments that is not or cannot be used to pay off the dissolved village's outstanding obligations to be paid to the township or townships into which the village is dissolved, in proportion to the amount of former village territory in each. Revenue received by a township must be deposited into the township general fund, and must be used to directly or indirectly benefit the territory of the dissolved village.²⁷

²³ R.C. 703.371(B) and (D).

²⁴ R.C. 703.371(H).

²⁵ R.C. 703.371(I).

²⁶ R.C. 703.371(F).

²⁷ R.C. 703.371(G).

Debt

In general, the township(s) into which the territory of a village is dissolved do not assume the voted debts, obligations, or liabilities of the village. There are exceptions for obligations imposed by Special Improvement Districts and Tax Increment Financing arrangements which such a township may be required to take on as discussed in those respective sections below.

Unvoted debt serviced by property taxes levied by the village within the ten-mill limitation, however, must be assumed by the township(s) into which the village is dissolved, apportioned based on the total assessed valuation of territory that each township absorbs in the tax year in which the dissolution is effective.²⁸

Property

The receiver-trustee must transfer the dissolved village's utility property to the entity that takes over the utility services. And, the receiver-trustee must sell the dissolved village's liquidable assets and use the proceeds to pay the outstanding debts, obligations, and liabilities as necessary. The remaining property is transferred to the township into which the village dissolved.

If multiple townships are involved, the receiver-trustee directs the townships to agree on a distribution of the remaining property;²⁹ the receiver-trustee helps the townships evaluate the remaining property as necessary. If the townships cannot reach an agreement within 60 days of the date the dissolution is effective, the receiver-trustee decides how the property should be distributed. Current law specifies that if an agreement cannot be reached, the property vests by operation of law in proportion to the amount of territory each township has within the dissolved village, which leads to ambiguity.³⁰

The receiver-trustee provides all relevant documentation to the county recorder in the applicable county or counties where transferred property is located. The county recorder must make appropriate notations in the county records to reflect the transfer(s) and must include a reference to the dissolution.³¹

Utilities

The bill requires the dissolved village's utilities to continue uninterrupted. The receiver-trustee is responsible for providing that continued service until the receiver-trustee is able to transfer each utility to an appropriate entity. Any relevant real or personal property is also transferred to the entity taking over the utility.³²

²⁸ R.C. 703.372.

²⁹ Current law requires the dissolving village to be involved in the agreement. R.C. 703.21, repealed.

³⁰ R.C. 703.21, repealed.

³¹ R.C. 703.373.

³² R.C. 703.374.

Public records

The receiver-trustee must review the dissolved village's records to determine which should be disposed of, transferred to an entity taking over a utility service, or transferred to the township or townships into which the village dissolved. The receiver-trustee has 90 days to complete its review and is assisted by the county records commission of the county where most of the village was located.

Before records are transferred, requests for the dissolved village's public records are submitted to the receiver-trustee and the receiver-trustee is responsible for responding to those requests. Continuing law requires each village to have a records retention schedule depicting how long each classification of records is retained by the village before disposal.³³ The bill requires the receiver-trustee to evaluate the dissolved village's records retention schedule to determine if it is viable for future responses to public records requests. If viable, the receiver-trustee follows the schedule. But if not viable, the receiver-trustee and the county records commission must create a schedule. If a request is submitted for a record the Board already transferred to another entity, the receiver-trustee must tell the requestor that the record may be available from the entity to which it was transferred. The entities take over all responsibilities related to public records when the transition period is over.³⁴

Community improvement corporations

If a dissolved village designated a community improvement corporation (CIC) as its economic development agency, and the village is the only subdivision to have so designated the CIC, the bill dissolves the CIC upon the village's dissolution. If other subdivisions also designated the CIC, then the CIC either dissolves and apportions its remaining assets to all of those subdivisions or it liquidates the dissolved village's share of its assets only and amends its articles of incorporation to reflect that it is no longer the agency of the village. The assets apportioned to the dissolved village are disposed of by the receiver-trustee.³⁵

Special Improvement Districts

If a dissolving village is a participating subdivision in a Special Improvement District (SID), the bill prohibits the SID from creating new debts, obligations, or liabilities during the dissolution period, except where necessary to continue the provision of utilities. During the transition period, the receiver-trustee must call a meeting to consider winding down or transitioning the affairs of the SID to the township(s) that will assume the SID territory. There, the Transition Supervisory Board, affected legislative authorities, and member of the SID who collectively own more than half the real property in the SID, may vote to amend the SID plan to replace the dissolving village with the township(s) that will assume the SID territory and all rights and responsibilities of the dissolved village. Alternatively, the SID will be dissolved and any special assessments imposed

³³ R.C. 149.39.

³⁴ R.C. 703.375.

³⁵ R.C. 703.376 and 1724.07.

will continue until all bonds, notes, and other SID obligations are paid. Any assets or rights, after such obligations are paid, are to be distributed to each subdivision based on the value of real property located in the subdivision compared to the SID as a whole. Assets or rights apportioned to the dissolved village are to be disposed of by the receiver-trustee or dispersed to the townships that assumed the SID territory.³⁶

Tax Increment Financing

If a dissolved village is receiving service payments in lieu of taxes for a property tax exemption granted pursuant to a Tax Increment Financing arrangement (TIF), the township(s) into which the subject property is dissolved under the bill must assume all rights and responsibilities of the village related to the TIF.³⁷

LGF payments

Under continuing law, Local Government Funds (LGF) are distributed by the State to local subdivisions directly pursuant to law or according to an apportionment plan adopted by the county budget commission.³⁸ The budget commission of a county in which a dissolved village was fully or partially located must continue to make those LGF payments until the end of such an apportionment plan. During the transition period, the payments are distributed to the receiver-trustee. After the transition period, the payments are distributed to the fiscal officer of the township that assumed most of the village's territory. After first putting those funds towards any outstanding debts, obligations, or liabilities of the village, that fiscal officer then apportions the amount to all of the townships into which the village was dissolved, in proportion to the amount of former village territory in each.

The budget commission cannot amend the apportionment plan to reallocate the village's portion until after the transition period has begun. Once the transition period has begun, if the commission does adopt a new apportionment plan, it must then exclude the dissolving village.³⁹

Fund transfers

After a village is dissolved, any money remaining in a village account may be transferred by the receiver-trustee to a special account solely for the purpose of paying the village's outstanding obligation or to the general fund of a township to benefit the village's former territory. This transfer may be made without the approval of the Tax Commissioner, as would otherwise appear to be required under current law.⁴⁰

³⁶ R.C. 703.377.

³⁷ R.C. 703.378.

³⁸ R.C. 5747.50, 5747.503, 5747.51, and 5747.53, not in the bill.

³⁹ R.C. 703.379.

⁴⁰ R.C. 5705.14.

Transition over

The transition period ends when the Transition Supervisory Board determines all outstanding debts, obligations, and liabilities of the dissolved village have been resolved, all real and personal property of the dissolved village has been transferred or otherwise disposed of, and all utility property and utility services have been transferred.⁴¹ The Board must notify the Auditor of State and all entities affected by or participating in the dissolution that the transition period is over. Within 30 days after the transition period ends, the Auditor begins the final audit of the dissolved village; when completed, the Auditor provides the audit to the Board.⁴² The Board ceases to exist when the Board receives the final audit.⁴³

Finally, the bill specifies that after a dissolution, the lot number previously assigned to a tract, parcel, or lot of land may continue in use.⁴⁴

Geauga County prosecuting attorney

The bill expressly authorizes the Geauga County prosecuting attorney to prosecute violations of state law arising within the unincorporated areas of Geauga County. Under current law, the chief legal officer of a municipal corporation in which a municipal court is located is responsible for the prosecution of criminal cases arising in the unincorporated areas within the territory of the municipal court.⁴⁵ It appears that Chardon Municipal Court currently includes unincorporated areas of the county, and a legal officer of the city of Chardon has been prosecuting such cases.

Competitive bidding

The bill increases the threshold for village and park district purchases that are subject to a competitive bidding procedure. Under current village law, when any expenditure, other than the compensation of persons employed in the village, exceeds \$50,000, the contract must be in writing and made with the lowest and best bidder after following certain advertising requirements. Similarly, under current park district law, in procuring any goods with a cost in excess of \$50,000, the board must use competitive bidding procedures. In both cases, the bill increases the threshold from \$50,000 to \$75,000 through calendar year 2024. For calendar year 2025 and each year thereafter, the amount will increase by 3% each year.⁴⁶

F-9 liquor permits

The bill modifies the F-9 liquor permit as follows:

⁴¹ R.C. 703.31.

⁴² R.C. 703.38.

⁴³ R.C. 703.361(G).

⁴⁴ R.C. 317.115 and 317.18.

⁴⁵ R.C. 1901.34(A) and (B).

⁴⁶ R.C. 731.14 and 1545.07; and R.C. 9.17, not in the bill.

- Expands the entities that are eligible to apply for an F-9 permit to include a nonprofit that provides or manages entertainment programming at a municipal park pursuant to an agreement with the municipal corporation that owns the park; and
- Eliminates the requirements that park property that is the subject of an F-9 permit comply with either of the following:
 - The park property is located in a county that has a population of between 1.1 million and 1.2 million on March 22, 2012 (Franklin County);
 - The park property is the subject of an agreement between a municipal corporation, a national nonprofit organization that is a foundation, and an Ohio-based nonprofit organization for the hosting of outdoor performing arts events or orchestral performances.⁴⁷

Additionally, the bill does both of the following regarding the Opened Container Law and the F-9 permit:

- Allows a person to possess an opened container of beer or intoxicating liquor that has been lawfully purchased for on-premises consumption from an F-9 permit holder; and
- As in current law, allows a person to possess on an F-9 permit premises an opened or unopened container of beer or intoxicating liquor that was not purchased from an F-9 permit holder with the permission of the permit holder. However, the bill eliminates two current qualifications that only allow a person to do so if:
 - The person is attending an orchestral performance and the F-9 permit holder grants permission for the possession and consumption of the beer or intoxicating liquor; or
 - The person is attending an outdoor performing arts event or orchestral performance that is free and the F-9 permit holder annually hosts at least 25 other events or performances that are free on the permit premises.⁴⁸

Large Settlements and Awards Fund

Beginning in 2025, the bill modifies the disbursements of settlement and award funds received by the state. Under the bill, all money collected or received by the Attorney General from a judgment, court order, settlement, or other compromise of claims is deposited into the Attorney General Court Order and Settlement Fund (currently called the Attorney General Court Order Fund). For amounts under \$5 million, the money is then disbursed by the Director of Budget and Management, in consultation with the Attorney General, to one or more custodial funds, and the Director or Attorney General must provide notice of the transfer to the Director of the Legislative Service Commission (LSC) including the amount and rationale supporting the

⁴⁷ R.C. 4303.209(A)(1).

⁴⁸ R.C. 4301.62(C)(1) and (5).

transfer(s). For amounts of \$5 million or more,⁴⁹ the Director must transfer the funds to the Large Settlements and Awards Fund, which the bill creates in the state treasury; the Director or Attorney General must provide notice of the transfer to the Director of LSC including the amount, terms, and any applicable laws.

Under continuing law, all amounts the Attorney General receives as reimbursement for legal services and other services, or as reimbursement for costs and fees associated with representation, are paid into the Attorney General Reimbursement Fund.

Also beginning in 2025, the bill requires the Attorney General, when seeking an order or judgment of a court or when entering into a settlement agreement or other compromise of claims on behalf of the state, to seek to secure payment of all costs, expenses, and contractual obligations related to the legal services and other services provided, unless those items are to be paid with available funds.⁵⁰

Treasurer of State

Public records

Under existing law, the Treasurer of State administers several linked deposit programs. Under these programs, the Treasurer invests state funds in certificates of deposit or other financial institution instruments at eligible financial institutions. The Treasurer agrees to accept a reduced rate of return on the investment and, in turn, the financial institution agrees to pass the savings on to approved borrowers or participants. The bill specifies that the records of the Treasurer of State or an eligible financial institution in a linked deposit program are not subject to Ohio Public Records Law if any of the following applies:

- The record is provided by an eligible borrower or participant to an eligible financial institution, to obtain a financial service or product from the institution;
- The record results from a transaction between the eligible borrower or participant and the eligible financial institution, involving a financial product or service;
- An eligible financial institution otherwise obtains the record about an eligible borrower or participant in connection with providing a financial product or service.

The bill specifies that these records may include names, addresses, telephone numbers, social security numbers, income, credit scores, information obtained through cookies and other internet collection devices, loan amounts, contributors to a linked deposit savings account, and amounts contributed to, earned by, or distributed from a linked deposit savings account.⁵¹

⁴⁹ This does not include the Attorney General's reimbursements, amounts paid to the state or a political subdivision under a collection, or amounts payable to a specified person or class of persons for a particular injury.

⁵⁰ R.C. 109.11, 109.111, 109.112, and 109.113; Section 701.10.

⁵¹ R.C. 135.61(E).

Treasurer of State reporting requirements

In addition, the bill specifies that for purposes of the Homeownership Savings Linked Deposit Program, the Treasurer of State must report to the Tax Commissioner any information in the Treasurer of State's possession deemed necessary by the Tax Commissioner to properly administer the tax deduction provided to eligible participants under that program.⁵²

Public depositories

H.B. 33 of the 135th General Assembly, the main appropriations act, changed the timeline and processes for designating public depositories of state funds. The Act changed the state timeline for designating public depositories from a two-year cycle to a four-year cycle, starting in 2025. The Act specifies that public depositories of state funds designated in 2022 retain that designation for three years, instead of two, until the act's new timeline is implemented. The bill adds a specific date to this timeline and specifies that the termination date for public depositories designated on or around July 4, 2022, is on the day before the first Monday of July 2025.⁵³

Technical changes

The bill makes several technical changes relating to the Treasurer of State that were enacted in H.B. 33 of the 135th General Assembly.⁵⁴

Primary and secondary education

JVSD minimum state share percentage

The bill makes a corrective change to the school financing system by increasing the minimum state share percentage for joint vocational school districts (JVSDs). Specifically, it increases the minimum state share percentage from 5% to 10% for FY 2024 and FY 2025.⁵⁵

H.B. 33 of the 135th General Assembly, effective October 3, 2023, already increased the minimum state share percentage for all other school districts to 10% for those fiscal years.

Autism Scholarship Program eligibility

The bill qualifies a child for the Autism Scholarship Program if, in addition to other requirements, the child is eligible to enter school in any of grades preschool through 12 in the school district in which the child is entitled to attend school during the school year in which the scholarship is first sought for the child. Under current law, a child is eligible for the scholarship if, in addition to other requirements, the child was either enrolled in or eligible to enter school in any of grades preschool through 12 in the school year *prior* to the year in which a scholarship is first sought for the child.

⁵² R.C. 135.71(E).

⁵³ Section 601.10 and 601.20.

⁵⁴ R.C. 135.143, 135.45, 135.61(A) to (D), 135.63, 135.70, 4519.55; and Section 812.10(A).

⁵⁵ R.C. 3317.16(A)(1)(a).

Under law unchanged by the bill, to qualify for the scholarship, a child must also meet one of the following conditions:

1. The school district in which the child is entitled to attend school has identified the child as autistic;
2. The school district in which the child is entitled to attend school has developed an individualized education program (IEP) for the child which specifically includes services related to autism; or
3. The child has been diagnosed as autistic by a physician or psychologist.⁵⁶

Conditional approval for school facilities projects

The bill clarifies that school facilities projects that receive conditional approval at any time during 2023 are subject to the 16-month time period during which voters of a school district must approve bonds and tax levies for a project granted conditional approval from the Ohio Facilities Construction Commission (OFCC).⁵⁷

H.B. 33 of the 135th General Assembly extended the time in which the voters of a school district must approve bond and tax levies related to a school facilities project from 13 to 16 months after OFCC grants the project conditional approval.

Authority to employ outside of grade band designation

H.B. 33 of the 135th General Assembly authorized a school district or community school to employ a licensed educator to teach outside of the grade band designated on the educator's license, but only included that change in the version of that provision that was effective until December 29, 2023. The bill continues that authority beyond December 29, 2023.

Under that authority, a district or school may employ a licensed educator to teach not more than two grade levels outside of the grade band designated on the educator's license for not more than two school years at a time. The district or school may opt to renew the educator's eligibility to teach outside of grade band every two years.⁵⁸

Pre-service teaching permits

The bill clarifies that the State Board of Education, rather than the Department of Education and Workforce, is responsible for criminal records checks and RAPBACK enrollment of holder of pre-service teaching permits.⁵⁹

⁵⁶ R.C. 3310.41(A)(6).

⁵⁷ R.C. 3318.05 and 3318.41.

⁵⁸ R.C. 3319.22(A)(1) and (4).

⁵⁹ R.C. 3319.0812. See also R.C. 3319.316, 3319.391, and 3327.10, none in the bill.

Reading competencies

The bill requires the Department, rather than the State Board, to adopt reading competencies for all reading credentials and training. It also permits the Department to review and update those reading competencies as it considers necessary.⁶⁰

Educator Standards Board membership

The bill removes the Director of Education and Workforce, or the Director's designee, from the Educator Standards Board and its subcommittees. The Superintendent of Public Instruction and Chancellor of Higher Education, or their designees, remain nonvoting ex officio members.⁶¹

Corrective changes – Department of Education and Workforce

The bill makes various corrective changes related to the establishment of the Department of Education and Workforce and the transfer of State Board and state Superintendent powers and duties to the Department.⁶²

Higher education

Institutional debt requirements

H.B. 33 of the 135th General Assembly established requirements regarding institutional debt for state institutions of higher education, private nonprofit colleges or universities, and private for-profit career colleges or schools. Specifically, it required each of those institutions to make clear on its website that students have a right to access transcripts for the purposes of seeking employment, regardless of whether the student owes an institutional debt. It also required each institution to post a list of resources available to students who owe an institutional debt.

The bill eliminates those requirements for private, nonprofit colleges or universities. It does not affect the continuing law requirements for state institutions or private for-profit career colleges or schools.⁶³

Center for Civics, Culture, and Workforce Development

The bill abolishes the Center for Civics, Culture, and Society that was created at the University of Cincinnati in H.B. 33 of the 135th General Assembly and, in its place, establishes a new center at Wright State University. The bill also transfers the \$2 million appropriation for a center from the University of Cincinnati to Wright State.

Wright State's center is an independent academic division that must be located at its Dayton campus. The center must conduct teaching and research in the historical ideas, traditions,

⁶⁰ R.C. 3301.077; conforming changes in R.C. 3313.608, 3319.233, and 3333.049.

⁶¹ R.C. 3319.60, 3319.611, and 3319.612.

⁶² R.C. 2950.11, 3301.55, 3313.7117, 3314.017, 3317.22, 3319.22, 3322.24, 3333.048, and 3701.0212.

⁶³ R.C. 3345.60.

and texts that have shaped the American constitutional order and society and the United States Armed Forces. The center has the authority to establish its own bylaws. The bill requires that the center establish bylaws which must require the center to do all of the following:

1. Educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;
2. Affirm its duty to equip students with the skills, habits, and dispositions of mind they need to reach their own informed conclusions on matters of social and political importance;
3. Affirm the value of intellectual diversity in higher education and aspire to enhance the intellectual diversity of the university;
4. Affirm a commitment to create a community dedicated to an ethic of civil and free inquiry, which respects the intellectual freedom of each member, supports individual capacities for growth, and welcomes the differences of opinion that must naturally exist in a public university community.

Under the bill, the prescribed requirements adopted under the bylaws described above take priority over any other bylaws adopted by the center. The bill permits each university's board of trustees to change the center's name in accordance with the university's philanthropic naming policies and practices.⁶⁴

Instructional requirements

The bill requires each center to offer instruction in:

1. The books and major debates which form the intellectual foundation of free societies, especially that of the United States;
2. The principles, ideals, and institutions of the American constitutional order, including the United States Armed Forces;
3. The foundations of responsible leadership and informed citizenship;
4. The origin, purpose, and role of Wright-Patterson Air Force Base and surrounding defense-related industries in supporting the United States; and
5. The workforce needs of Wright-Patterson Air Force Base and industries that support the base.⁶⁵

The bill further requires the center to focus on offering university-wide programming related to the values of free speech and civil discourse, expanding the intellectual diversity of the university's academic community, and increasing awareness of Wright-Patterson Air Force Base and supporting workforce needs to sustain and attract missions at the base.⁶⁶

⁶⁴ R.C. 3352.16(A) and 3361.06, repealed.

⁶⁵ R.C. 3352.16(C)(1).

⁶⁶ R.C. 3352.16(C)(2).

The bill grants the center the authority to offer courses and develop certificate, minor, and major programs as well as graduate programs and offer degrees.⁶⁷

Academic council

The university's board of trustees must appoint, with the advice and consent of the Senate, a seven-member academic council within 90 days after the bill's effective date. A new member cannot begin service until confirmed by the Senate. Four members form a quorum.

The bill requires the academic council be comprised of scholars with relevant expertise and experience. Not more than three members of the council may be employees of the university, and best efforts must be made to have not fewer than three members be from Ohio.

Three members of the council must serve initial terms of two years and four members must serve initial terms of four years. The members must determine which members will serve which terms at the first meeting and select replacements for vacant seats as needed. However, the bill does not specify the duration of terms after the initial ones.⁶⁸

Director search and responsibilities

The bill requires the academic councils to conduct a nationwide search for candidates for the director of a center. It specifically requires that the nationwide search adhere to all relevant state and federal laws. The academic council must submit a list of candidates to the university president, from which the president must select and appoint a director. This appointment is subject to the approval of the board of trustees. The bill further requires that the director consult with the provost; however, the director must report directly to the president.

The bill requires the director to have the sole and exclusive authority to manage the recruitment and hiring process and to extend offers for employment for all faculty and staff of the center, and to terminate employment of all staff. Additionally, the director must oversee, develop, and approve the center's curriculum.⁶⁹ It also prohibits any university policy from governing the development and approval of curriculum within the center.⁷⁰

The bill requires the director to submit annually a report to the university's board of trustees and the General Assembly. The report must provide a full account of the center's achievements, opportunities, challenges, and obstacles in the development of the academic unit.⁷¹

⁶⁷ R.C. 3352.16(E)(3).

⁶⁸ R.C. 3352.16(D).

⁶⁹ R.C. 3352.16(E)(1), (2), and (3).

⁷⁰ R.C. 3352.16(B).

⁷¹ R.C. 3352.16(F).

Faculty

The bill grants the center authority to house faculty who hold appointments in the center. It also permits, but does not require, faculty appointed to the center to hold joint appointments within any other division of the university. The bill expressly prohibits faculty from outside of the center from blocking faculty hires.⁷²

Doula services

H.B. 33 of the 135th General Assembly established a Board of Nursing certification program for doulas and requires the Department of Medicaid (ODM) to operate a program to cover doula services beginning October 3, 2024.

Definitions

The bill modifies the definition of “doula” to specify that a doula *advocates for*, and provides support to, a pregnant woman *through the delivery of a child and immediately after the delivery*. Additionally, the new definition of “doula” removes language specifying that a doula provides support regardless of if the woman’s pregnancy results in a live birth.

The bill also modifies the definition of “doula certification organization” to mean organizations that are recognized at an international, national, state, or local level, as opposed to organizations considered appropriate by the Board of Nursing.⁷³

Criminal records check

The bill requires applicants for certification as a doula to undergo a criminal records check. The check is to be conducted in the same manner as current criminal records checks for medication aides, dialysis technicians, and community health workers, all also under the Board of Nursing’s purview.⁷⁴

Application

Current law permits the Board of Nursing to waive an applicant’s fee for doula certification and renewal if the applicant’s family income 200% of the federal poverty level or less. The bill increases the threshold to allow the fee to be waived for applicants with a family income of 300% of the federal poverty level or less.⁷⁵

⁷² R.C. 3352.16(B).

⁷³ R.C. 4723.89.

⁷⁴ R.C. 4723.091, 4723.092, and 4723.89.

⁷⁵ R.C. 4723.89(D)(4).

Doula Advisory Group

Membership

The bill changes the name of the “Doula Advisory Board” to the “Doula Advisory Group,” and makes the following changes to the Advisory Group’s composition:⁷⁶

- Requires the Board of Nursing to appoint three members representing communities most impacted by negative maternal and infant health outcomes, instead of *at least* three in current law;
- Requires the Board of Nursing to appoint five members who are doulas with current, valid certification from a doula certification organization, instead of at least six;
- Requires the Board of Nursing to appoint two members who are public health officials, physicians, nurses, or social workers, instead of at least one;
- Requires the Board of Nursing to appoint two members who are consumers, instead of at least one;
- Adds two members who represent a doula certification program or organization established in Ohio, to be appointed by the Board of Nursing;
- Adds a representative of the Commission on Minority Health, appointed by the Executive Director of the Commission;
- Adds a representative of the Department of Health, appointed by the Director of Health; and
- Adds a representative of the Board of Nursing, appointed by the Board of Nursing.

With these changes, the Advisory Group is composed of 17 members, instead of 13 to 15 in current law.

Under the bill, Advisory Group members may be reappointed for an unlimited number of terms. However, they may no longer request per diem compensation for fulfilling membership duties. Continuing law permits the reimbursement of actual and necessary expenses incurred while fulfilling Advisory Group duties.⁷⁷

Responsibilities

The bill removes a requirement that the Advisory Group make recommendations to the Medicaid Director regarding the adoption of rules related to Medicaid coverage of doula services. It adds a requirement that the Advisory Group advise the Board of Nursing about individuals

⁷⁶ R.C. 4723.90(B).

⁷⁷ R.C. 4723.90(F) and (G).

seeking to be eligible for Medicaid reimbursement as a certified doula and that the Board of Nursing seek and consider the opinion of the Advisory Group regarding the same.⁷⁸

In addition to current law requirements that the Board of Nursing provide meeting space, staff services, and other technical assistance to the Advisory Group, the bill requires the Board to provide virtual meeting technology.⁷⁹

Beginning two years after the bill's effective date, the Advisory Group is required to submit an annual report to the General Assembly including the number of pregnant women and infants served by doulas under the Medicaid program, the number and types of doula services provided, and maternal and infant health outcomes and other outcome metrics.⁸⁰

Department of Medicaid

The bill specifies that Medicaid payments for doula services are to be determined on the basis of each pregnancy, regardless of whether multiple births occur as a result of that pregnancy.⁸¹ The Governor vetoed this provision in H.B. 33 of the 135th General Assembly.

The bill requires provider outcome measurements or incentives implemented by the Department of Medicaid (ODM) to be consistent with Ohio's Medicare-Medicaid Plan quality withhold provider or managed care plan methodology and benchmarks.⁸²

Current law requires ODM to complete a report on the efficacy of the Medicaid program in meeting the health care needs of low-income pregnant women, infants, and children, and the bill requires ODM to include information on doula coverage in this report. Outcomes related to maternal health and maternal morbidity, infant health outcomes, the average cost of providing doula services to mothers and infants, and estimated cost increases or savings as a result of providing doula coverage must be included in the report. The report also must demonstrate cost savings resulting from program investments.⁸³ The Governor vetoed a provision in H.B. 33 of the 135th General Assembly that would have established reporting requirements for the Medicaid doula program separate from the existing ODM report.

Finally, the bill removes ODM's exemption from regulatory restrictions imposed by recently enacted legislation when adopting rules regarding doulas.⁸⁴

⁷⁸ R.C. 4723.89 and 4723.90(J).

⁷⁹ R.C. 4723.90(I).

⁸⁰ R.C. 4723.90(J)(4).

⁸¹ R.C. 5164.071(B).

⁸² R.C. 5164.071(C).

⁸³ R.C. 5162.13(A)(15) and (16).

⁸⁴ R.C. 5164.071(D) and 121.95 to 121.953, not in the bill.

Reporting election results

The bill requires boards of elections to transmit unofficial election results to the Administrative Director of the Supreme Court by email, or other telecommunication device, as determined by the Supreme Court, when the results of ballots have been ascertained. Continuing law requires boards of elections, when the results of ballots have been ascertained, to compile and prepare an unofficial count and transmit those results to the Secretary of State or to the board of the most populous county in the district, no later than noon on the day following the election.⁸⁵

The bill also requires additional election results to be reported after the votes have been canvassed – those for the judge of a county court, and for the judge of a municipal court. Under continuing law, after the canvass of election results has been completed – i.e., the official election results – those results are reported on 6 forms, numbers 1 through 6, which have different election results.

Form No. 4 has the offices of state board of education, court of appeals, common pleas judge, judge of the probate court, and all the county-wide elected offices. The bill adds “judge of the county court” to the list for Form No. 4. A judge of a county court is a type of judge distinct from a common pleas court judge, with jurisdiction in a county area not including municipal court jurisdictions.⁸⁶

Form No. 6 has the election results for municipal offices, township offices, and local boards of education. The bill adds “judge of a municipal court” to this list.

The bill also requires boards of elections to email a copy of Form No. 2 to the Senate President, rather than mail a copy.⁸⁷

Finally, the bill requires the Secretary of State to digitize Form Nos. 4 and 6 upon receipt (continuing law only required Form Nos. 1, 2, and 3) and then email or otherwise electronically transmit a copy of those two forms to the Administrative Director of the Supreme Court.⁸⁸

STRS membership for pre-service teaching

The bill includes, as State Teachers Retirement System (STRS) members, student teachers who hold pre-service teacher permits and are employed as substitute teachers by a school district or school. It excludes them from School Employees Retirement System membership.⁸⁹

H.B. 33 of the 135th General Assembly (the main appropriations act) created a three-year pre-service teacher permit for student teachers. Under that act, a student teacher who holds a

⁸⁵ R.C. 3505.30.

⁸⁶ See Chapter 1907 of the Revised Code, not in the bill.

⁸⁷ R.C. 3505.33. Form No. 2 contains all the statewide offices, the Ohio Supreme Court, and members of Congress.

⁸⁸ R.C. 3505.33 and 3505.35.

⁸⁹ R.C. 3307.01, by reference to 3319.0812, not in the bill, and R.C. 3309.01.

permit may substitute teach and receive compensation for that service. However, because a student teacher who holds this permit is not being employed in a position for which a license or registration is required under continuing law, the student teacher is not currently a member of STRS.

Public address information for respiratory care applicants

Regarding the State Medical Board’s existing register of applicants and licensees, the bill eliminates a requirement that the register show the residential address for applicants to practice respiratory care.⁹⁰ This change was included in an amendment to H.B. 33 of the 135th General Assembly, but omitted from the final act due to an engrossing error.⁹¹

9-1-1 charges and fees

Minimum fee exemption

The bill repeals current law that prohibits wireless service that is priced below \$5 per month from being subject to the next generation 9-1-1 access fee (\$0.40 until September 30, 2025; \$0.25 on and after October 1, 2025) per service per month. “Wireless service” means federally licensed commercial mobile service as defined under federal law and further defined as commercial mobile radio service in federal law, and includes service provided by any wireless, two-way communications device, including a radio-telephone communications line used in cellular telephone service or personal communications service, a network radio access line, or any functional or competitive equivalent of such a radio-telephone communications or network radio access line, and does not include paging or any service that cannot be used to call or contact 9-1-1.⁹²

Refunds

The bill requires refund amounts for wireless 9-1-1 charges and next generation 9-1-1 access fees be transferred to the Tax Refund Fund by the Director of Budget and Management, as funds are available, from the 9-1-1 Government Assistance Fund, 9-1-1 Administrative Fund, 9-1-1 Program Fund, and the Next Generation 9-1-1 Fund in the same percentage of the total certified refund amount as monies are placed into each fund under continuing law. The percentage of the refund amount to be transferred from each fund is:

- 9-1-1 Government Assistance Fund, 72%;
- 9-1-1 Administrative Fund, 1%;
- 9-1-1 Program Fund, 2%;

⁹⁰ R.C. 4731.07.

⁹¹ See page 452 of [LSC’s Final Analysis \(PDF\)](#) for H.B. 33 of the 135th General Assembly, for a related change made by that act.

⁹² R.C. 128.419; R.C. 128.01, not in the bill.

- Next Generation 9-1-1 Fund, 25%.

Current law requires the Director to transfer all refund amounts from the 9-1-1 Government Assistance Fund.⁹³

Tax deduction for homeownership savings account contributions

The bill modifies an income tax deduction enacted in H.B. 33 of the 135th General Assembly for contributions to homeownership savings accounts, which are accounts that individuals can use to pay the down payment and closing costs associated with the purchase of a home.

Under continuing law, individuals can deduct up to \$5,000 of contributions to a homeownership savings account each year (\$10,000 in the case of joint filers). The bill specifies that the tax deduction is not allowed for funds transferred from one savings account to another. It also clarifies which expenses qualify the individual for the tax deduction.

Current law allows individuals to deduct up to \$25,000 for contributions to any account. The bill specifies that, if an individual opens a second savings account, the limit for this later account will be reduced by any contributions made to the previous account. Changes to the deduction apply to taxable years beginning in or after 2024.⁹⁴

Tax law technical corrections

The bill makes technical changes to several Tax Law provisions that were amended or enacted in H.B. 33 of the 135th General Assembly, as follows:

- Clarifies which payments qualify for an income tax deduction for amounts received by individuals and businesses affected by the East Palestine train derailment.⁹⁵
- Specifies that an annual \$850,000 minimum allocation of Local Government Fund (LGF) money to counties will be computed on a fiscal year basis. Existing law does not specify whether the minimum payment is calculated on a fiscal year or calendar year basis.⁹⁶
- Clarifies that, with respect to a new tax credit for film and theater capital improvement projects, both individuals and pass-through entities may claim the credit against the income tax. Current law only references individuals.⁹⁷

⁹³ R.C. 128.54.

⁹⁴ R.C. 5747.85; Section 803.10.

⁹⁵ R.C. 5747.01(A)(39); Section 803.20.

⁹⁶ R.C. 5747.501.

⁹⁷ R.C. 5747.67; Section 803.20.

- Corrects erroneous cross-references in the law that authorizes the film and theater production and capital improvement tax credits.⁹⁸
- Updates the reporting requirements for a tax credit for developers of affordable single-family housing. Continuing law requires credit recipients to submit an annual report to the OHFA. The bill requires OHFA to forward copies of these reports to the Tax Commissioner and Superintendent of Insurance.⁹⁹
- Corrects an erroneous reference to the Director of the nonexistent Governor’s Office of Housing Transformation by correctly referencing the Executive Director of the OHFA in the law governing the state’s low-income housing tax credit, which is administered by the OHFA.¹⁰⁰

Preschool and school child programs

The bill revises the law, effective January 1, 2025, governing minimum standards for licensed preschool and school child programs by requiring the Ohio Department of Children and Youth (DCY) to adopt those standards in rule, rather than doing so jointly and in consultation with the Director of Education and Workforce.¹⁰¹

The bill also makes various corrective and harmonizing changes to the law governing preschool and school child program licensure, including standards regarding the provision of special education and related services for preschool children with disabilities, to reflect both of the following resulting from the enactment of H.B. 33 of the 135th General Assembly:

- The establishment of DCY and DEW; and
- The transfer of licensing duties from DEW to DCY.¹⁰²

These changes take effect January 1, 2025.¹⁰³

Other appropriations

The bill makes the following changes related to appropriations:¹⁰⁴

- Appropriates \$1.6 million in FY 2024 and \$1.25 million in FY 2025 to the Department of Natural Resources for the Buckeye State Tree Nursery;

⁹⁸ R.C. 122.85 and 122.852.

⁹⁹ R.C. 175.17 and 5729.20.

¹⁰⁰ R.C. 5726.58; Section 803.20.

¹⁰¹ R.C. 3301.53.

¹⁰² R.C. 3301.53, 3301.58, and 3323.02; Sections 110.10, 110.20, 733.20, and 812.20 of the bill.

¹⁰³ Section 812.10 of the bill.

¹⁰⁴ Sections 201.10 to 201.30, 601.10, 601.20, 601.50, and 601.60.

- Reappropriates any remaining funds for one-time payments to freestanding dialysis centers for the same purpose; this was created in H.B. 45 of the 134th General Assembly (2021-2022);
- Increases the cap on State Public Defender reimbursements for capital cases from \$75 to \$140 per hour; and
- Corrects drafting errors in the appropriations for the Department of Development in H.B. 33 of the 135th General Assembly.

HISTORY

Action	Date
Introduced	03-09-23
Reported, H. State & Local Gov't	05-22-23
Passed House (86-9)	06-14-23
Reported, S. Local Gov't	11-14-23
Re-referred, S. Finance	11-15-23
Re-reported, S. Finance	--