



Ohio Legislative Service Commission

Bill Analysis

Sam Benham

H.B. 44

131st General Assembly
(As Introduced)

Reps. Gerberry, Lepore-Hagan

BILL SUMMARY

- Requires that the Department of Education annually distribute on a per pupil basis to public and chartered nonpublic schools lottery profits in excess of the amount of those profits appropriated for Foundation Funding in fiscal year 2017 plus the amount of profits spent for school facilities debt service in the previous fiscal year.

CONTENT AND OPERATION

Per pupil distribution of excess lottery profits

(R.C. 3317.0212 and 3770.06)

The bill requires the Department of Education, each year by August 1, beginning in 2017, to distribute an amount of excess lottery profits divided among all of the following on a per pupil basis: (1) city, local, exempted village, and joint vocational school districts, (2) community schools, (3) STEM schools, and (4) chartered nonpublic schools. A school district or school may use the funds received under the bill for "any lawful purpose, except for the payment of salaries and benefits."¹ The aggregate amount to be distributed is the amount of lottery profits transferred into the Lottery Profits Education Fund during the previous fiscal year (as certified by the Director of Budget and Management to the Superintendent of Public Instruction by July 15) in *excess* of the sum of:

(1) The total amount appropriated from that Fund for Foundation Funding for fiscal year 2017 (referred to as the "base lottery profits amount"); plus

¹ R.C. 3317.54.

(2) The amount paid from that Fund during the previous fiscal year for debt service on school facilities bonds.²

Background

Section 6, Article XV of the Ohio Constitution requires that the proceeds of the State Lottery "be used solely for the support of elementary, secondary, vocational, and special education." Accordingly, the implementing statutory law provides that the profits from the sales of lottery games, that is, the amount left over after paying prizes and the cost of operating the lottery, be deposited into the Lottery Profits Education Fund. The statute further states that monies in that fund be used for the support of elementary, secondary, vocational, and special education programs, as required by the Constitution, and for payment of debt service on state bonds issued to pay the cost of school facilities projects.

HISTORY

ACTION	DATE
Introduced	02-10-15

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² R.C. 3770.06(B).

