



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**S.B. 208**  
**134<sup>th</sup> General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Sen. Brenner

Abby McMahon, Attorney

### SUMMARY

- Prohibits the Ohio Arts Council from adopting any rule, policy, criteria, or scoring system that discriminates, disqualifies, or penalizes any applicant because the applicant receives or seeks an additional appropriation or grant or is owned or operated by a political subdivision or state institution of higher education.
- Specifies that an applicant that is owned or operated by a political subdivision or a state institution of higher education must meet certain criteria.

### DETAILED ANALYSIS

The bill prohibits the Ohio Arts Council from adopting any rule, policy, criteria, or scoring system that discriminates, disqualifies, or penalizes any applicant for a grant administered by the Council for either of the following reasons:

- The applicant receives or seeks additional funding in the form of an appropriation or grant of funds from the state, a political subdivision, the federal government, or a state institution of higher education;
- The applicant is owned or operated by a political subdivision or a state institution of higher education.

Additionally, the bill specifies that an applicant that is owned or operated by a political subdivision or a state institution of higher education must meet all of the following criteria:

- Derive at least 51% of its income from outside the political subdivision or state institution of higher education;
- Manage its own budget;
- Conduct an annual and independent audit;

- Maintain its own board that is independent of a legislative authority of a political subdivision or the board of trustees of a state institution of higher education;
- Have an arts-based mission;
- If the applicant is a state institution of higher education, does not present work exclusively by or for students.<sup>1</sup>

Under continuing law, the Ohio Arts Council was created to foster and encourage the development of the arts in Ohio and preserve Ohio's cultural heritage. The Ohio Arts Council consists of 15 voting members, appointed by the Governor, who must have a broad knowledge and experience in the arts, two nonvoting members appointed by the Speaker of the House of Representatives, and two nonvoting members appointed by the President of the Senate. The Ohio Arts Council is responsible for receiving and administering any funds from the federal government, or appropriated by the state, for the development of the arts.<sup>2</sup>

## HISTORY

Action	Date
Introduced	07-07-21

S0208-I-134/ts

<sup>1</sup> R.C. 3379.13.

<sup>2</sup> R.C. 3379.02 and 3379.07, not in the bill.