



OHIO LEGISLATIVE SERVICE COMMISSION

Sub. Bill Comparative Synopsis

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H.B. 312

132nd General Assembly

(H. Government Accountability and Oversight)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (L-132-1530-8)
Culpable mental state	Uses "with purpose to defraud" as the culpable mental state for violations of the misuse of a credit card criminal offense which carries a penalty of first degree misdemeanor to a second degree felony based on the facts (<i>R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 2913.21, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60</i>).	Decreases the culpable mental state to "knowingly" and accordingly decreases the penalty to misdemeanor of the first degree (<i>R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 2913.21, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60</i>).
Name of political subdivision on credit cards	Requires a political subdivision to appoint a compliance officer if the name of the political subdivision does not appear on each credit card (and if the fiscal officer does not possess the cards) (<i>R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60</i>).	Requires the name of the political subdivision to appear on each credit card or check; requires a political subdivision to appoint a compliance officer if the fiscal officer does not possess the cards (<i>R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60</i>).

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Compliance officer authority to use credit cards	Prohibits a compliance officer from using the political subdivision's credit card accounts (<i>R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60</i>).	For municipal corporations and library districts, allows a compliance officer to use a credit card account if the fiscal officer authorizes it; requires the legislative authority to review the credit card account transaction detail monthly and to sign an attestation stating the authority reviewed the detail. This does not apply to the director of a free public library or library district serving as compliance officer (<i>R.C. 717.31 and 3375.392</i>).
Review	Requires the compliance officer, if one exists, and the legislative authority of each political subdivision to review specific items on a quarterly basis (<i>R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60</i>).	Makes this a semiannual review for townships and library districts only (<i>R.C. 505.64 and 3375.392</i>). Removes the requirement that the board of education of a school district, governing board of an educational service center, or governing authority of an information technology center participate in the review (<i>R.C. 3313.311</i>).
Compliance officer appointment	If applicable, requires the legislative authority of each political subdivision to appoint the compliance officer (<i>R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60</i>).	For municipal corporations, requires the chief executive officer to make the appointment (<i>R.C. 717.31</i>). For free public libraries and library districts, specifies the director of the library or district is eligible for appointment as compliance officer while maintaining the director's ability to participate as a member of the board to authorize the use of credit cards (<i>R.C. 3375.392</i>).
Misuse of credit card criminal offense	Specifies an officer, employee, or appointee of a political subdivision is subject to the criminal offense of misuse of a credit card (<i>R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 2913.21, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60</i>).	Expands this to include "public servants" thereby applying the offense to persons performing ad hoc governmental functions and any person who is a candidate for public office (<i>R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 2913.21, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60</i>).



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Debit card prohibition	Prohibits political subdivisions from using debit cards except for law enforcement purposes (R.C. 9.22).	Exempts debit card accounts related to the receipt of grant moneys from this prohibition (R.C. 9.22).
Definition of credit card	Defines credit card to mean "any bank-issued credit card, store-issued credit card, and any other card allowing the holder to purchase goods or services on credit"; excludes procurement cards and gasoline or telephone credit cards (R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60).	Expands this definition to include financial institution-issued credit card accounts, financial depository-issued credit card accounts, affinity credit card accounts, and any debit or gift card account related to the receipt of grant monies (R.C. 9.21, 505.64, 511.234, 717.31, 940.11, 1545.072, 1711.131, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60).
Credit card account	Uses the terms "credit card" and "debit card" (R.C. 9.21, 9.22, 117.102, 505.64, 511.234, 717.31, 940.11, 940.12, 1545.072, 1711.131, 2913.21, 3313.291, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60).	Uses the terms "credit card account" and "debit card account" (R.C. 9.21, 9.22, 117.102, 505.64, 511.234, 717.31, 940.11, 940.12, 1545.072, 1711.131, 2913.21, 3313.291, 3313.311, 3314.52, 3326.52, 3328.52, 3375.392, and 6119.60).

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