

As Passed by the Senate

135th General Assembly

Regular Session

2023-2024

Am. Sub. H. B. No. 27

Representatives Mathews, Thomas, J.

Cosponsors: Representatives Barhorst, Carruthers, Claggett, Click, Cutrona, Dean, Demetriou, Dobos, Ferguson, King, Klopfenstein, LaRe, Merrin, Peterson, Richardson, Williams, Willis, Miller, J., Abdullahi, Bird, Abrams, Blackshear, Brennan, Brewer, Cross, Dell'Aquila, Galonski, Grim, Hillyer, Holmes, Hoops, Humphrey, Isaacsohn, Jones, Lorenz, Miller, K., Miller, M., Patton, Pavliga, Pizzulli, Ray, Robinson, Rogers, Schmidt, Seitz, Somani, Stein, Stewart, Swearingen, Thomas, C., White, Wiggam

Senators Cirino, Gavarone, Johnson, Lang, Reineke, Reynolds, Romanchuk, Schuring

A BILL

To amend sections 5101.192, 5101.193, 5101.194, and 1
to enact section 3345.026 of the Revised Code 2
and to amend Sections 307.10 and 307.140 of H.B. 3
33 of the 135th General Assembly to amend the 4
versions of sections 5101.193 and 5101.194 of 5
the Revised Code that are scheduled to take 6
effect on January 1, 2025, to continue the 7
changes on and after that date, to require state 8
institutions of higher education to provide 9
financial cost and aid disclosure forms, to make 10
an appropriation for the Adoption Grant Program, 11
and to make certain capital appropriations and 12
reappropriations for the biennium ending June 13
30, 2026. 14

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5101.192, 5101.193, and 5101.194 15
be amended and section 3345.026 of the Revised Code be enacted 16
to read as follows: 17

Sec. 3345.026. (A) As used in this section: 18

(1) "Community college" has the same meaning as in section 19
3333.168 of the Revised Code. 20

(2) "Qualifying student" means a newly admitted full-time 21
student who is seeking a degree. 22

(3) "State university" has the same meaning as in section 23
3345.011 of the Revised Code. 24

(B) Beginning one year after the effective date of this 25
section, each state university shall, prior to the student 26
decision deadline to accept admission from a university, provide 27
a financial cost and aid disclosure form to a qualifying student 28
with the student's initial financial aid packet. The form shall 29
be based on the template developed or approved under division 30
(E) of this section. The form may be provided electronically and 31
shall not exceed one double-sided page in length when it is 32
printed. 33

(C) The state university shall include all of the 34
following information in the form: 35

(1) Costs associated with attendance including all of the 36
following: 37

(a) General and instructional fees; 38

(b) Room and board, or a reasonable estimate of room and 39
board if the qualifying student has not selected a room and 40
board plan; 41

(c) Special fees that the state university charges at the 42
time the form is created. 43

(2) The qualifying student's aggregate cost of attendance, 44
including the instructional, general, and special fees and room 45
and board; 46

(3) All available sources of financial aid offered by the 47
state university for which the qualifying student would be 48
eligible including all of the following: 49

(a) Any grants and scholarships the state university is 50
aware of and that it offers, including a description of any 51
requirements for maintaining that eligibility; 52

(b) Federal student loans, including federal direct 53
subsidized and unsubsidized student loans; 54

(c) Work study programs, including a description of any 55
requirements for maintaining that eligibility. 56

(4) The qualifying student's expected net cost of 57
attendance after the student's aggregate financial aid, 58
including the student's grants, scholarships, loans, and work 59
study programs, is applied to the student's aggregate cost of 60
attendance; 61

(5) The qualifying student's expected monthly education 62
loan payment upon graduation based on the student loans 63
described in division (C) (3) (b) of this section; 64

(6) The income range between the twenty-fifth and seventy- 65
fifth percentiles for all of the following: 66

(a) The state university's most recent cohort of 67
graduates; 68

(b) The state university's cohort of graduates who graduated five years prior to the qualifying student's admission to the university. 69
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(c) If the qualifying student has declared a major or enrolled in a particular school at the state university, the university shall include income ranges for graduates who had that major or were enrolled in that school. 72
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(D) Beginning one year after the effective date of this section, each community college shall provide a qualifying student a financial cost and aid disclosure form with the student's financial aid award letter. The form shall be based on the template developed or approved under division (E) of this section. The form may be provided electronically and shall not exceed one double-sided page in length when it is printed. 76
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(1) A community college shall include the information described in divisions (C)(1) to (5) of this section in the financial cost and aid disclosure form. Nothing in this section shall be construed to prohibit a community college from providing financial counseling, including advising students on expected monthly loan payments for total loan amounts a student may borrow. 83
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(2) A community college shall provide a qualifying student, with the student's acceptance letter, a link to a readily available page on the college's web site that contains information on the income ranges described in division (C)(6) of this section. 90
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(E) The chancellor of higher education shall develop a financial cost and aid disclosure form template or approve an existing alternative that addresses the information described in 95
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division (C) of this section. The chancellor shall develop or 98
approve the template in consultation with the United States 99
department of education and financial aid directors from state 100
institutions of higher education to ensure alignment with the 101
United States department of education's college financing plan 102
and other federal financing tools. 103

Sec. 5101.192. (A) To receive a grant payment under 104
division (B) of section 5101.191 of the Revised Code, all of the 105
following must be satisfied: 106

(1) The adoptive parent has not previously received a 107
grant payment from the Ohio adoption grant program for the 108
adopted child for whom the parent is seeking payment. 109

(2) The adoptive parent does not also currently claim an 110
adoption tax credit pursuant to former section 5747.37 of the 111
Revised Code for the adopted child for whom the parent is 112
seeking payment. 113

(3) The adoptive parent applies for the grant not later 114
than one year after the final adoption order, interlocutory 115
order of adoption, or recognition of the adoption by this state 116
under section 3107.18 of the Revised Code for the adopted child 117
for whom the grant payment is sought. 118

(4) The adoption was not by a parent whose spouse is a 119
biological or adoptive parent of the child prior to the adoption 120
for which the payment is sought. 121

(5) The adoption is finalized on or after January 1, 2023. 122

(6) The adoptive parent was a resident of Ohio at the time 123
the adoption was finalized. 124

(B) To receive a grant payment under division (C) of 125

section 5101.191 of the Revised Code, both of the following must 126
be satisfied: 127

(1) The requirements of division (A) of this section must 128
be satisfied. 129

(2) A qualified professional who does not provide casework 130
services to the adopted child diagnoses the child with one or 131
more special needs in the professional's area of expertise prior 132
to the final order of adoption, interlocutory order of adoption, 133
or recognition of the adoption by this state under section 134
3107.18 of the Revised Code. 135

Sec. 5101.193. (A) The director of job and family services 136
shall adopt rules to administer and implement the Ohio adoption 137
grant program. The director, in consultation with the tax 138
commissioner, shall also adopt rules authorizing the department 139
to withhold and remit to the Internal Revenue Service federal 140
income tax from grant payments under division (B) of section 141
5101.191 of the Revised Code, provided such withholding is 142
authorized under federal law or approved by the Internal Revenue 143
Service. 144

(B) No application fee shall be charged for the grant 145
program. 146

(C) Notwithstanding any law to the contrary, the director 147
may require, as necessary to administer the Ohio adoption grant 148
program, either or both of the following: 149

(1) ~~The submission~~ Certified copies of any court or legal 150
document necessary to prove a final order of adoption, an 151
interlocutory order of adoption, or recognition of the adoption 152
under section 3107.18 of the Revised Code; 153

(2) Any department, agency, court, or division of the 154

state, including the department of health, to provide any 155
document related to the adoption. 156

(D) Notwithstanding any provision of section 121.95 of the 157
Revised Code to the contrary, a regulatory restriction contained 158
in a rule adopted under section 5101.193 of the Revised Code is 159
not subject to sections 121.95 to 121.953 of the Revised Code. 160

Sec. 5101.194. Any document provided to the department of 161
job and family services under division (C) of section 5101.193 162
of the Revised Code remains ~~a~~: 163

(A) A public record under section 149.43 of the Revised 164
Code if it was a public record under that section before being 165
provided to the department; 166

(B) Confidential if it was confidential under any state or 167
federal law before being provided to the department. 168

Section 2. That existing sections 5101.192, 5101.193, and 169
5101.194 of the Revised Code are hereby repealed. 170

Section 3. That sections 5101.193 and 5101.194 of the 171
Revised Code be amended to read as follows: 172

Sec. 5101.193. (A) The director of children and youth 173
shall adopt rules to administer and implement the Ohio adoption 174
grant program. The director, in consultation with the tax 175
commissioner, shall also adopt rules authorizing the department 176
to withhold and remit to the Internal Revenue Service federal 177
income tax from grant payments under division (B) of section 178
5101.191 of the Revised Code, provided such withholding is 179
authorized under federal law or approved by the Internal Revenue 180
Service. 181

(B) No application fee shall be charged for the grant 182

program.	183
(C) Notwithstanding any law to the contrary, the director	184
may require, as necessary to administer the Ohio adoption grant	185
program, either or both of the following:	186
(1) The submission <u>Certified copies</u> of any court or legal	187
document necessary to prove a final order of adoption, an	188
interlocutory order of adoption, or recognition of the adoption	189
under section 3107.18 of the Revised Code;	190
(2) Any department, agency, <u>court</u> , or division of the	191
state, including the department of health, to provide any	192
document related to the adoption.	193
(D) Notwithstanding any provision of section 121.95 of the	194
Revised Code to the contrary, a regulatory restriction contained	195
in a rule adopted under section 5101.193 of the Revised Code is	196
not subject to sections 121.95 to 121.953 of the Revised Code.	197
Sec. 5101.194. Any document provided to the department of	198
children and youth under division (C) of section 5101.193 of the	199
Revised Code remains a ;	200
<u>(A) A public record</u> under section 149.43 of the Revised	201
Code if it was a public record under that section before being	202
provided to the department;	203
<u>(B) Confidential if it was confidential under any state or</u>	204
<u>federal law before being provided to the department.</u>	205
Section 4. That existing sections 5101.193 and 5101.194 of	206
the Revised Code are hereby repealed.	207
Section 5. Sections 3 and 4 of this act take effect	208
January 1, 2025.	209

Section 6. All appropriation items in this act are 210
 appropriated as designated out of any moneys in the state 211
 treasury to the credit of the designated fund. All capital 212
 appropriations made in this act are for the biennium ending June 213
 30, 2026. 214

Section 7. 215

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A	EXP EXPOSITIONS COMMISSION	
B	Administrative Building Fund (Fund 7026)	
C	C72324 Expo2050	\$196,350,000
D	TOTAL Administrative Building Fund	\$196,350,000
E	TOTAL ALL FUNDS	\$196,350,000

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Section 8. 218

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A	FCC FACILITIES CONSTRUCTION COMMISSION	
B	School Building Program Assistance Fund (Fund 7032)	
C	C23002 School Building Program Assistance	\$600,000,000

D TOTAL School Building Program Assistance Fund \$600,000,000
E TOTAL ALL FUNDS \$600,000,000

SCHOOL BUILDING PROGRAM ASSISTANCE 220

Capital appropriations in this section made from 221
appropriation item C23002, School Building Program Assistance, 222
shall be used by the Facilities Construction Commission to 223
provide funding to school districts that receive conditional 224
approval from the Commission pursuant to Chapter 3318. of the 225
Revised Code. 226

Section 9. 227

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A PWC PUBLIC WORKS COMMISSION

B State Capital Improvements Fund (Fund 7038)

C C15000 Local Public Infrastructure/State CIP \$400,000,000

D TOTAL State Capital Improvements Fund \$400,000,000

E State Capital Improvements Revolving Loan Fund (Fund 7040)

F C15030 Revolving Loan \$100,000,000

G TOTAL State Capital Improvements Revolving Loan Fund \$100,000,000

H Clean Ohio Conservation Fund (Fund 7056)

I	C15060	Clean Ohio Conservation Program	\$75,000,000
J	TOTAL	Clean Ohio Conservation Fund	\$75,000,000
K	TOTAL ALL FUNDS		\$575,000,000

LOCAL PUBLIC INFRASTRUCTURE/STATE CIP 229

Capital appropriations in this section made from the State 230
Capital Improvements Fund (Fund 7038) shall be used in 231
accordance with sections 164.01 to 164.12 of the Revised Code. 232
The Director of the Public Works Commission may certify to the 233
Director of Budget and Management that a need exists to 234
appropriate investment earnings to be used in accordance with 235
sections 164.01 to 164.12 of the Revised Code. If the Director 236
of Budget and Management determines pursuant to division (D) of 237
section 164.08 and section 164.12 of the Revised Code that 238
investment earnings are available to support additional 239
appropriations, such amounts are hereby appropriated. 240

If the Public Works Commission receives refunds due to 241
project overpayments that are discovered during a post-project 242
audit, the Director of the Public Works Commission may certify 243
to the Director of Budget and Management that refunds have been 244
received. In certifying the refunds, the Director of the Public 245
Works Commission shall provide the Director of Budget and 246
Management information on the project refunds. The certification 247
shall detail by project the source and amount of project 248
overpayments received and include any supporting documentation 249
required or requested by the Director of Budget and Management. 250
Upon receipt of the certification, the Director of Budget and 251
Management shall determine if the project refunds are necessary 252
to support existing appropriations. If the project refunds are 253

available to support additional appropriations, these amounts 254
are hereby appropriated to appropriation item C15000, Local 255
Public Infrastructure/State CIP. 256

REVOLVING LOAN 257

Capital appropriations in this section made from the State 258
Capital Improvements Revolving Loan Fund (Fund 7040) shall be 259
used in accordance with sections 164.01 to 164.12 of the Revised 260
Code. 261

If the Public Works Commission receives refunds due to 262
project overpayments that are discovered during a post-project 263
audit, the Director of the Public Works Commission may certify 264
to the Director of Budget and Management that refunds have been 265
received. In certifying the refunds, the Director of the Public 266
Works Commission shall provide the Director of Budget and 267
Management information on the project refunds. The certification 268
shall detail by project the source and amount of project 269
overpayments received and include any supporting documentation 270
required or requested by the Director of Budget and Management. 271
Upon receipt of the certification, the Director of Budget and 272
Management shall determine if the project refunds are necessary 273
to support existing appropriations. If the project refunds are 274
available to support additional appropriations, these amounts 275
are hereby appropriated to appropriation item C15030, Revolving 276
Loan. 277

CLEAN OHIO CONSERVATION GRANT REPAYMENTS 278

Capital appropriations in this section made from the Clean 279
Ohio Conservation Fund (Fund 7056) shall be used in accordance 280
with sections 164.20 to 164.27 of the Revised Code. Any amount 281
in grant repayments received by the Public Works Commission and 282

deposited into the Clean Ohio Conservation Fund pursuant to 283
section 164.261 of the Revised Code is hereby appropriated to 284
the foregoing appropriation item C15060, Clean Ohio Conservation 285
Program. 286

Section 10. BOND ISSUANCE AUTHORIZATIONS 287

(A) The Treasurer of State is hereby authorized to issue 288
and sell, in accordance with Section 2i of Article VIII, Ohio 289
Constitution, Chapter 154. of the Revised Code, and other 290
applicable sections of the Revised Code, original obligations in 291
an aggregate principal amount not to exceed \$196,000,000 in 292
addition to the original issuance of obligations heretofore 293
authorized by prior acts of the General Assembly. These 294
authorized obligations shall be issued, subject to applicable 295
constitutional and statutory limitations, as needed to provide 296
sufficient moneys to the credit of the Administrative Building 297
Fund (Fund 7026) to pay costs associated with previously 298
authorized capital facilities for the housing of branches and 299
agencies of state government or their functions. 300

(B) The Ohio Public Facilities Commission is hereby 301
authorized to issue and sell, in accordance with Section 2n of 302
Article VIII, Ohio Constitution, and Chapter 151. and 303
particularly sections 151.01 and 151.03 of the Revised Code, 304
original obligations in an aggregate principal amount not to 305
exceed \$600,000,000, in addition to the original issuance of 306
obligations heretofore authorized by prior acts of the General 307
Assembly. These authorized obligations shall be issued, subject 308
to applicable constitutional and statutory limitations, as 309
needed to provide sufficient moneys to the credit of the School 310
Building Program Assistance Fund (Fund 7032) to pay the state 311
share of the costs of constructing classroom facilities pursuant 312

to Chapter 3318. of the Revised Code. 313

(C) The Ohio Public Facilities Commission is hereby 314
authorized to issue and sell, in accordance with Section 2s of 315
Article VIII, Ohio Constitution, and Chapter 151. and 316
particularly sections 151.01 and 151.08 of the Revised Code, 317
original obligations, in an aggregate principal amount not to 318
exceed \$400,000,000, in addition to the original obligations 319
heretofore authorized by prior acts of the General Assembly. 320
These authorized obligations shall be issued, subject to 321
applicable constitutional and statutory limitations, as needed 322
to provide sufficient moneys to the credit of the State Capital 323
Improvements Fund (Fund 7038) to pay costs of capital 324
improvement projects of local subdivisions. 325

(D) The Ohio Public Facilities Commission is hereby 326
authorized to issue and sell, in accordance with Sections 2o and 327
2q of Article VIII, Ohio Constitution, and Chapter 151. and 328
particularly sections 151.01 and 151.09 of the Revised Code, 329
original obligations of the state in an aggregate principal 330
amount not to exceed \$75,000,000 in addition to the original 331
issuance of obligations heretofore authorized by prior acts of 332
the General Assembly. These authorized obligations shall be 333
issued, subject to applicable constitutional and statutory 334
limitations, as needed to provide sufficient moneys to the 335
credit of the Clean Ohio Conservation Fund (Fund 7056), the 336
Clean Ohio Agricultural Easement Fund (Fund 7057), and the Clean 337
Ohio Trail Fund (Fund 7061) to pay costs of conservation 338
projects. 339

Section 11. REAPPROPRIATION OF UNENCUMBERED BALANCES OF 340
CAPITAL APPROPRIATIONS 341

Notwithstanding the original year of appropriation, if the 342

Director of Budget and Management determines that such balances 343
are needed to complete the projects for which they were 344
reappropriated or appropriated, the unencumbered balance of a 345
capital appropriation or reappropriation that a state agency has 346
available on June 30, 2024, is hereby reappropriated for the 347
capital biennium ending June 30, 2026, for the same purpose and 348
from the same fund from which it was originally appropriated or 349
reappropriated. Any provision of law that applied to these 350
appropriations or reappropriations when they went into effect 351
shall continue to apply to the appropriations or 352
reappropriations for the duration of the capital biennium ending 353
June 30, 2026, including those appropriations approved by the 354
Controlling Board. 355

The appropriation items and amounts that are 356
reappropriated by this act shall be reported to the Controlling 357
Board within thirty days after the effective date of this 358
section. 359

Section 12. REAPPROPRIATION OF UNEXPENDED ENCUMBERED 360
BALANCES OF CAPITAL APPROPRIATIONS 361

(A) (1) Notwithstanding the original year of appropriation 362
or encumbrance, the unexpended balance of a capital 363
appropriation or reappropriation that a state agency has 364
encumbered prior to the close of the capital biennium ending 365
June 30, 2024, is hereby reappropriated for the capital biennium 366
ending June 30, 2026, from the fund from which it was originally 367
appropriated or reappropriated. Each reappropriation authorized 368
under this division shall be used only for the purpose of 369
discharging the encumbrance. For those encumbered appropriations 370
or reappropriations, any Controlling Board approval previously 371
granted and referenced by the encumbering document remains in 372

effect until the encumbrance is discharged or until the 373
encumbrance expires at the end of the capital biennium ending 374
June 30, 2026. 375

(2) During the capital biennium ending June 30, 2026, the 376
Director of Budget and Management may cancel an encumbrance that 377
is reappropriated pursuant to division (A)(1) of this section if 378
the Director determines that the encumbrance is no longer needed 379
to complete the project for which it was appropriated or 380
reappropriated. 381

(B) If, during the capital biennium ending June 30, 2026, 382
pursuant to section 126.22 of the Revised Code, in order to 383
correct an accounting error, the Director of Budget and 384
Management reestablishes an encumbrance that was reappropriated 385
pursuant to division (A) of this section, the amount 386
representing the encumbrance canceled in error is reappropriated 387
in accordance with division (A) of this section. 388

Section 13. The requirements of Chapters 123. and 153. of 389
the Revised Code, with respect to the powers and duties of the 390
Executive Director of the Ohio Facilities Construction 391
Commission as they relate to the procedure and awarding of 392
contracts for capital improvement projects, and the requirements 393
of section 127.16 of the Revised Code, with respect to the 394
Controlling Board, do not apply to projects of community college 395
districts and technical college districts. 396

Section 14. Those institutions locally administering 397
capital improvement projects pursuant to sections 3345.50 and 398
3345.51 of the Revised Code may: 399

(A) Establish charges for recovering costs directly 400
related to project administration as defined by the Executive 401

Director of the Ohio Facilities Construction Commission. The 402
Ohio Facilities Construction Commission, in consultation with 403
the Office of Budget and Management, shall review and approve 404
these administrative charges when the charges are in excess of 405
1.5 per cent of the total construction budget, provided that 406
total administrative charges paid by the state do not exceed 407
four per cent of the state's contribution to the total 408
construction budget. 409

(B) Seek reimbursement from state capital appropriations 410
to the institution for the in-house design services performed by 411
the institution for the capital projects. Acceptable charges are 412
limited to design document preparation work that is done by the 413
institution. These reimbursable design costs shall be shown as 414
"A/E fees" within the project's budget that is submitted to the 415
Controlling Board or the Director of Budget and Management as 416
part of a request for release of funds. The reimbursement for 417
in-house design shall not exceed seven per cent of the estimated 418
construction cost. 419

Section 15. TRANSFERS OF HIGHER EDUCATION CAPITAL 420
APPROPRIATIONS 421

The Director of Budget and Management may, as necessary to 422
maintain the exclusion from the calculation of gross income for 423
federal income taxation purposes under the "Internal Revenue 424
Code of 1986," 26 U.S.C. 1 et seq., with respect to obligations 425
issued to fund projects appropriated from the Higher Education 426
Improvement Fund: 427

(A) Transfer appropriations between the Higher Education 428
Improvement Fund and the Higher Education Improvement Taxable 429
Fund; 430

(B) Create new appropriation items within the Higher Education Improvement Taxable Fund and make transfers of appropriations to them for projects originally funded from appropriations made from the Higher Education Improvement Fund.

The projects that are funded under new appropriation items created in this manner shall automatically be designated as specific for purposes of section 126.14 of the Revised Code.

Section 16. CERTIFICATION OF AVAILABILITY OF MONEYS

Moneys that require release shall not be expended from any appropriation contained in this act without certification of the Director of Budget and Management that there are sufficient moneys in the state treasury in the fund from which the appropriation is made. Such certification made by the Office of Budget and Management shall be based on estimates of revenue, receipts, and expenses. Nothing in this section limits the authority of the Director of Budget and Management granted in section 126.07 of the Revised Code.

Section 17. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The appropriations made in this act, excluding those made from the State Capital Improvement Fund (Fund 7038) and the State Capital Improvements Revolving Loan Fund (Fund 7040) for buildings or structures, including remodeling and renovations, are limited to:

(A) Acquisition of real property or interests in real property;

(B) Buildings and structures, which includes construction, demolition, complete heating and cooling, lighting, and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water and sewer systems, when such systems are

authorized or necessary;	460
(C) Architectural, engineering, and professional services	461
expenses directly related to the projects;	462
(D) Machinery that is necessary to the operation or	463
function of the building or structure at the time of initial	464
acquisition or construction;	465
(E) Acquisition, development, and deployment of new	466
computer systems, including the integration of existing and new	467
computer systems, but excluding regular or ongoing maintenance	468
or support agreements;	469
(F) Furniture, fixtures, or equipment that meets all the	470
following criteria:	471
(1) Is essential in bringing the facility up to its	472
intended use or is necessary for the functioning of the	473
particular facility or project;	474
(2) Has a unit cost of about \$100 or more; and	475
(3) Has a useful life of five years or more.	476
Furniture, fixtures, or equipment that is not an integral	477
part of or directly related to the basic purpose or function of	478
a project for which moneys are appropriated shall not be paid	479
for from these appropriations. This paragraph does not apply to	480
appropriation line items specifically for furniture, fixtures,	481
or equipment.	482
Section 18. CONTINGENCY RESERVE REQUIREMENT	483
Any request for release of capital appropriations by the	484
Director of Budget and Management or the Controlling Board for	485
projects, the contracts for which are awarded by the Ohio	486

Facilities Construction Commission, shall contain a contingency 487
reserve, the amount of which shall be determined by the Ohio 488
Facilities Construction Commission, for payment of unanticipated 489
project expenses. Any amount deducted from the encumbrance for a 490
contractor's contract as an assessment for liquidated damages 491
shall be added to the encumbrance for the contingency reserve. 492
Contingency reserve funds shall be used to pay costs resulting 493
from unanticipated job conditions, to comply with rulings 494
regarding building and other codes, to pay costs related to 495
errors or omissions in contract documents, to pay costs 496
associated with changes in the scope of work, and to pay the 497
cost of settlements and judgments related to the project. Any 498
funds remaining upon completion of a project, may, upon approval 499
of the Controlling Board, be released for the use of the 500
institution to which the appropriation was made for another 501
capital facilities project or projects. 502

Section 19. SATISFACTION OF JUDGMENTS AND SETTLEMENTS 503
AGAINST THE STATE 504

Except as otherwise provided in this section, an 505
appropriation contained in this act or in any other act may be 506
used for the purpose of satisfying judgments, settlements, or 507
administrative awards ordered or approved by the Court of Claims 508
or by any other court of competent jurisdiction in connection 509
with civil actions against the state. This authorization does 510
not apply to appropriations that are to be applied to or used 511
for payment of guarantees by or on behalf of the state or for 512
payments under lease agreements relating to or debt service on 513
bonds, notes, or other obligations of the state. Notwithstanding 514
any other section of law to the contrary, this authorization 515
includes appropriations from funds into which proceeds or direct 516
obligations of the state are deposited only to the extent that 517

the judgment, settlement, or administrative award is for or 518
represents capital costs for which the appropriation may 519
otherwise be used and is consistent with the purpose for which 520
any related obligations were issued or entered into. Nothing 521
contained in this section is intended to subject the state to 522
suit in any forum in which it is not otherwise subject to suit, 523
nor is it intended to waive or compromise any defense or right 524
available to the state in any suit against it. 525

Section 20. CAPITAL RELEASES BY THE DIRECTOR OF BUDGET AND 526
MANAGEMENT 527

Notwithstanding section 126.14 of the Revised Code, 528
appropriations for appropriation items C50100, Local Jails, and 529
C50101, Community-Based Correctional Facilities, appropriated 530
from the Adult Correctional Building Fund (Fund 7027) to the 531
Department of Rehabilitation and Correction, and any projects 532
specifically identified for C58001, Community Assistance 533
Projects, shall be released upon the written approval of the 534
Director of Budget and Management. The appropriations from the 535
Public School Building Fund (Fund 7021) and the School Building 536
Program Assistance Fund (Fund 7032) to the Facilities 537
Construction Commission, from the Transportation Building Fund 538
(Fund 7029) to the Department of Transportation, from the Clean 539
Ohio Conservation Fund (Fund 7056), the State Capital 540
Improvement Fund (Fund 7038), and the State Capital Improvements 541
Revolving Loan Fund (Fund 7040) to the Public Works Commission, 542
and from the Underground Parking Garage Operating Fund (Fund 543
2080) to the Capitol Square Review and Advisory Board shall be 544
released upon presentation of a request to release the funds, by 545
the agency to which the appropriation has been made, to the 546
Director of Budget and Management. 547

Section 21. PREVIOUSLY RELEASED REAPPROPRIATIONS 548

Capital reappropriations in this act that have been 549
released by the Controlling Board or the Director of Budget and 550
Management between July 1, 2022, and June 30, 2024, do not 551
require further approval or release prior to being encumbered. 552
Funds reappropriated in excess of such prior releases shall be 553
released in accordance with applicable provisions of this act. 554

Section 22. PREVAILING WAGE REQUIREMENT 555

Except as provided in section 4115.04 of the Revised Code, 556
moneys appropriated or reappropriated by the 135th General 557
Assembly shall not be used for the construction of public 558
improvements, as defined in section 4115.03 of the Revised Code, 559
unless the mechanics, laborers, or workers engaged therein are 560
paid the prevailing rate of wages prescribed in section 4115.04 561
of the Revised Code. Nothing in this section affects the wages 562
and salaries established for state employees under Chapter 124. 563
of the Revised Code, or collective bargaining agreements entered 564
into by the state under Chapter 4117. of the Revised Code, while 565
engaged on force account work, nor does this section interfere 566
with the use of inmate and patient labor by the state. 567

Section 23. AUTHORIZATION OF THE DIRECTOR OF BUDGET AND 568
MANAGEMENT 569

The Director of Budget and Management shall authorize both 570
of the following: 571

(A) The initial release of moneys for projects from the 572
funds into which proceeds of direct obligations of the state are 573
deposited; and 574

(B) The expenditure or encumbrance of moneys from funds 575
into which proceeds of direct obligations are deposited, only 576

after determining to the Director's satisfaction that either of 577
the following applies: 578

(1) The application of such moneys to the particular 579
project will not negatively affect any exclusion of the interest 580
or interest equivalent on obligations issued to provide moneys 581
to the particular fund from the calculation of gross income for 582
federal income tax purposes under the "Internal Revenue Code of 583
1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 584

(2) Moneys for the project will come from the proceeds of 585
federally taxable obligations, the interest on which is not so 586
excluded from the calculation of gross income for federal income 587
tax purposes and which have been authorized and issued on that 588
basis by their issuing authority. 589

In the event the Director determines that the condition 590
set forth in division (B) (1) of this section does not apply, and 591
that there is no existing fund in the state treasury to enable 592
compliance with the condition set forth in division (B) (2) of 593
this section, the Director may create a fund in the state 594
treasury for the purpose of receiving proceeds of federally 595
taxable obligations. The Director may establish capital 596
appropriation items in that taxable bond fund that correspond to 597
the preexisting capital appropriation items in the associated 598
tax-exempt bond fund. The Director also may transfer capital 599
appropriations in whole or in part between the taxable and tax- 600
exempt bond funds within a particular purpose for which the 601
bonds have been authorized. 602

Section 24. REQUIREMENTS RELATING TO NON-STATE OWNERSHIP 603
OF CERTAIN FINANCED PROJECTS 604

(A) No capital improvement appropriations or 605

reappropriations made in this act shall be released for planning 606
or for improvement, renovation, or construction or acquisition 607
of capital facilities if a state agency, as defined in section 608
154.01 of the Revised Code, does not own the real property that 609
constitutes the capital facilities or on which the capital 610
facilities are or will be located, unless provided for elsewhere 611
in this act. This restriction does not apply in any of the 612
following circumstances: 613

(1) The state agency has a long-term (at least as long as 614
the obligations that financed the project) lease of, or other 615
interest (such as an easement) in, the real property. 616

(2) In the case of an appropriation or reappropriation for 617
capital facilities that, because of their unique nature or 618
location, will be owned or be part of facilities owned by a 619
separate nonprofit organization and made available to the state 620
agency for its use or benefit, the nonprofit organization either 621
owns or has a long-term (at least as long as the obligations 622
that financed the project) lease of the real property or other 623
capital facility to be improved, renovated, constructed, or 624
acquired and has entered into a joint or cooperative use 625
agreement with and approved by the state agency that meets the 626
requirements of division (B) of this section. 627

(B) In the case of capital facilities referred to in 628
division (A)(2) of this section, the joint or cooperative use 629
agreement shall include, at a minimum, provisions that: 630

(1) Specify the extent and nature of that joint or 631
cooperative use, extending for not shorter than the length of 632
the obligations that financed the project, with the value of 633
such use or right to use to be, as determined by the parties and 634
approved by the approving department, reasonably related to the 635

amount of the appropriation; 636

(2) Provide for pro rata reimbursement to the state should 637
the arrangement for joint or cooperative use by a state agency 638
be terminated; and 639

(3) Provide that procedures to be followed during the 640
capital improvement process comply with applicable state 641
statutes and rules, including the provisions of this act. 642

(C) This section does not apply to appropriations or 643
reappropriations from the State Capital Improvements Fund (Fund 644
7038), State Capital Improvements Revolving Loan Fund (Fund 645
7040), Clean Ohio Conservation Fund (Fund 7056), Clean Ohio 646
Revitalization Fund (Fund 7003), the Service Station Cleanup 647
Fund (Fund 7100), or the School Building Program Assistance Fund 648
(Fund 7032). 649

**Section 25. OBLIGATIONS ISSUED UNDER CHAPTER 151. OF THE 650
REVISED CODE 651**

The capital improvements for which appropriations or 652
reappropriations are made in this act from the Higher Education 653
Improvement Taxable Fund (Fund 7024), the Ohio Parks and Natural 654
Resources Fund (Fund 7031), the School Building Program 655
Assistance Fund (Fund 7032), the Higher Education Improvement 656
Fund (Fund 7034), the State Capital Improvements Fund (Fund 657
7038), the State Capital Improvements Revolving Loan Fund (Fund 658
7040), the Coal Research and Development Fund (Fund 7046), the 659
Clean Ohio Conservation Fund (Fund 7056), the Clean Ohio 660
Agricultural Easement Fund (Fund 7057), and the Clean Ohio Trail 661
Fund (Fund 7061) are determined to be capital improvements and 662
capital facilities for natural resources, a statewide system of 663
common schools, state-supported and state-assisted institutions 664

of higher education, local subdivision capital improvement 665
projects, coal research and development projects, and 666
conservation purposes (under the Clean Ohio Program) and are 667
designated as capital facilities to which proceeds of 668
obligations issued under Chapter 151. of the Revised Code are to 669
be applied. 670

Section 26. OBLIGATIONS ISSUED UNDER CHAPTER 154. OF THE 671
REVISED CODE 672

The capital improvements for which appropriations or 673
reappropriations are made in this act from the Administrative 674
Building Taxable Bond Fund (Fund 7016), the Administrative 675
Building Fund (Fund 7026), the Adult Correctional Building Fund 676
(Fund 7027), the Juvenile Correctional Building Fund (Fund 677
7028), the Transportation Building Fund (Fund 7029), the 678
Cultural and Sports Facilities Building Fund (Fund 7030), the 679
Mental Health Facilities Improvement Fund (Fund 7033), and the 680
Parks and Recreation Improvement Fund (Fund 7035) are determined 681
to be capital improvements and capital facilities for housing 682
state agencies and branches of government, mental health and 683
developmental disabilities, and parks and recreation, and are 684
designated as capital facilities to which proceeds of 685
obligations issued under Chapter 154. of the Revised Code are to 686
be applied. 687

Section 27. TRANSFER OF OPEN ENCUMBRANCES 688

Upon the request of the agency to which a capital project 689
appropriation item is appropriated, the Director of Budget and 690
Management may transfer open encumbrance amounts between 691
separate encumbrances for the project appropriation item to the 692
extent that any reductions in encumbrances are agreed to by the 693
contracting vendor and the agency. 694

Section 28. LITIGATION PROCEEDS TO THE ADMINISTRATIVE 695
BUILDING FUND 696

Any proceeds received by the state as the result of 697
litigation or a settlement agreement related to any liability 698
for the planning, design, engineering, construction, or 699
constructed management of facilities operated by the Department 700
of Administrative Services shall be deposited into the General 701
Revenue Fund or the Building Improvement Fund (Fund 5KZ0). 702

Section 29. That Sections 307.10 and 307.140 of H.B. 33 of 703
the 135th General Assembly be amended to read as follows: 704

Sec. 307.10. 705

706

	1	2	3	4	5
A			JFS DEPARTMENT OF JOB AND FAMILY SERVICES		
B			General Revenue Fund		
C	GRF	600410	TANF State Maintenance of Effort	\$149,268,000	\$149,268,000
D	GRF	600450	Program Operations	\$197,705,000	\$199,975,000
E	GRF	600502	Child Support- Local	\$26,400,000	\$26,400,000
F	GRF	600521	Family Assistance - Local	\$53,248,000	\$53,248,000
G	GRF	600533	Child, Family, and	\$13,500,000	\$13,500,000

			Community Protection Services		
H	GRF	600534	Adult Protective Services	\$9,720,000	\$9,720,000
I	GRF	600551	Job and Family Services Program Support	\$750,000	\$750,000
J	GRF	600561	Parenting and Pregnancy Program	\$7,000,000	\$7,000,000
K	GRF	600562	Adoption Grant Program	\$15,000,000 <u>\$34,000,000</u>	\$15,000,000 <u>\$34,000,000</u>
L	GRF	655425	Medicaid Program Support	\$15,605,000	\$15,673,000
M	GRF	655522	Medicaid Program Support - Local	\$44,000,000	\$49,000,000
N	GRF	655523	Medicaid Program Support - Local Transportation	\$43,530,000	\$43,530,000
O	TOTAL GRF	General Revenue Fund		\$575,726,000 <u>\$594,726,000</u>	\$583,064,000 <u>\$602,064,000</u>
P	Dedicated Purpose Fund Group				
Q	4A80	600658	Public Assistance Activities	\$19,900,000	\$19,900,000

R	4A90	600607	Unemployment Compensation Administration Fund	\$11,400,000	\$11,400,000
S	4E70	600604	Family and Children Services Collections	\$650,000	\$650,000
T	5AJ1	6006A8	Foodbanks	\$7,500,000	\$7,500,000
U	5CV3	6006A5	Foodbank Assistance ARPA	\$10,000,000	\$0
V	5DM0	600633	Audit Settlements and Contingency	\$1,000,000	\$1,000,000
W	5DM0	6006A9	Benefit Bridge	\$3,000,000	\$5,000,000
X	5DM0	6006B1	Employment Incentive Program	\$1,500,000	\$1,500,000
Y	5ES0	600630	Food Bank Assistance	\$500,000	\$500,000
Z	5RX0	600699	Workforce Development Projects	\$500,000	\$500,000
AA	5TZ0	600674	Childrens Crisis Care	\$985,000	\$1,235,000
AB	5U60	600663	Family and Children Support	\$6,932,065	\$7,787,465
AC	TOTAL	DPF	Dedicated Purpose Fund Group	\$63,867,065	\$56,972,465

AD	Internal Service Activity Fund Group				
AE	5HL0	600602	State and County Shared Services	\$2,000,000	\$2,000,000
AF	TOTAL ISA Internal Service Activity Fund Group			\$2,000,000	\$2,000,000
AG	Fiduciary Fund Group				
AH	1920	600646	Child Support Intercept - Federal	\$100,000,000	\$100,000,000
AI	5830	600642	Child Support Intercept - State	\$13,000,000	\$13,000,000
AJ	5B60	600601	Food Assistance Intercept	\$4,000,000	\$4,000,000
AK	TOTAL FID Fiduciary Fund Group			\$117,000,000	\$117,000,000
AL	Holding Account Fund Group				
AM	R012	600643	Refunds and Audit Settlements	\$500,000	\$500,000
AN	TOTAL HLD Holding Account Fund Group			\$500,000	\$500,000
AO	Federal Fund Group				
AP	3310	600615	Veterans Programs	\$11,872,779	\$11,893,147
AQ	3310	600624	Employment Services	\$30,454,022	\$30,882,752
AR	3310	600686	Workforce Programs	\$3,926,746	\$3,980,332

AS	3840	600610	Food Assistance Programs	\$245,396,656	\$236,482,931
AT	3850	600614	Refugee Services	\$23,157,277	\$12,375,030
AU	3950	600616	Federal Discretionary Grants	\$8,367,273	\$5,047,878
AV	3960	600620	Social Services Block Grant	\$38,191,659	\$38,280,049
AW	3970	600626	Child Support - Federal	\$205,929,146	\$205,192,248
AX	3F01	655624	Medicaid Program Support - Federal	\$220,005,026	\$220,103,397
AY	3S50	600622	Child Support Projects	\$534,050	\$534,050
AZ	3V00	600688	Workforce Innovation and Opportunity Act Programs	\$165,190,735	\$165,578,756
BA	3V40	600632	Trade Programs	\$29,560,798	\$29,727,681
BB	3V40	600678	Federal Unemployment Programs	\$132,198,612	\$131,184,431
BC	3V40	600679	Unemployment Compensation Review Commission - Federal	\$6,830,615	\$6,948,482
BD	3V60	600689	TANF Block Grant	\$814,044,607	\$818,722,142

BE TOTAL FED Federal Fund Group	\$1,935,660,001	\$1,916,933,306
BF TOTAL ALL BUDGET FUND GROUPS	\$2,694,753,066	\$2,676,469,771
	<u>\$2,713,753,066</u>	<u>\$2,695,469,771</u>

Sec. 307.140. ADOPTION GRANT PROGRAM 707

The foregoing appropriation item 600562, Adoption Grant 708
Program, shall be used, in consultation with the Department of 709
Children and Youth, to administer grants to adoptive parents 710
through the Adoption Grant Program, in accordance with sections 711
5101.191 and 5101.192 of the Revised Code. 712

On July 1, 2024, or as soon as possible thereafter, the 713
Director of Job and Family Services may certify to the Director 714
of Budget and Management an amount up to the unexpended, 715
unencumbered balance of the foregoing appropriation item 600562, 716
Adoption Grant Program, at the end of fiscal year 2024 to be 717
reappropriated to fiscal year 2025. The amount certified is 718
hereby reappropriated to the same appropriation item for the 719
same purpose for fiscal year 2025. 720

Section 30. That existing Sections 307.10 and 307.140 of 721
H.B. 33 of the 135th General Assembly are hereby repealed. 722

Section 31. The items of law contained in this act, and 723
their applications, are severable. If an item of law contained 724
in this act, or if an application of an item of law contained in 725
this act, is held invalid, the invalidity does not affect other 726
items of law contained in this act and their applications that 727
can be given effect without the invalid item or application. 728