

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 320**

**Representatives Hagan, Roegner**

**Cosponsors: Representatives Duffey, Retherford, Becker, Dean, Hood, Riedel,  
Goodman, Thompson**

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**A BILL**

To amend sections 101.82 and 103.13 and to enact 1  
sections 103.35, 103.36, 103.37, 103.38, 103.39, 2  
and 107.036 of the Revised Code to create the 3  
Long-range Financial Outlook Council for the 4  
purpose of informing the public and the General 5  
Assembly about the financial status of the state 6  
by studying financial and other conditions and 7  
issuing an annual long-range financial outlook 8  
report. 9

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

**Section 1.** That sections 101.82 and 103.13 be amended and 10  
sections 103.35, 103.36, 103.37, 103.38, 103.39, and 107.036 of 11  
the Revised Code be enacted to read as follows: 12

**Sec. 101.82.** As used in sections 101.82 to 101.87 of the 13  
Revised Code: 14

(A) "Agency" means any board, commission, committee, or 15  
council, or any other similar state public body required to be 16  
established pursuant to state statutes for the exercise of any 17

function of state government and to which members are appointed	18
or elected. "Agency" does not include the following:	19
(1) The general assembly, or any commission, committee, or	20
other body composed entirely of members of the general assembly;	21
(2) Any court;	22
(3) Any public body created by or directly pursuant to the	23
constitution of this state;	24
(4) The board of trustees of any institution of higher	25
education financially supported in whole or in part by the	26
state;	27
(5) Any public body that has the authority to issue bonds	28
or notes or that has issued bonds or notes that have not been	29
fully repaid;	30
(6) The public utilities commission of Ohio;	31
(7) The consumers' counsel governing board;	32
(8) The Ohio board of regents;	33
(9) Any state board or commission that has the authority	34
to issue any final adjudicatory order that may be appealed to	35
the court of common pleas under Chapter 119. of the Revised	36
Code;	37
(10) Any board of elections;	38
(11) The board of directors of the Ohio insurance guaranty	39
association and the board of governors of the Ohio fair plan	40
underwriting association;	41
(12) The Ohio public employees deferred compensation	42
board;	43

(13) The Ohio retirement study council;	44
(14) The board of trustees of the Ohio police and fire pension fund, public employees retirement board, school employees retirement board, state highway patrol retirement board, and state teachers retirement board;	45 46 47 48
(15) The industrial commission;	49
(16) The parole board;	50
(17) The board of tax appeals;	51
(18) The controlling board;	52
(19) The release authority of department of youth services;	53 54
(20) The environmental review appeals commission;	55
(21) The Ohio ethics commission;	56
(22) The Ohio public works commission;	57
(23) The self-insuring employers evaluation board;	58
(24) The state board of deposit;	59
(25) The state employment relations board;	60
<u>(26) The long-range financial outlook council;</u> and	61
<del>(26)</del> <u>(27)</u> An agency that is exempted from the requirements of sections 101.82 to 101.87 of the Revised Code by the agency's enabling statutes.	62 63 64
(B) "Abolish" means to repeal the statutes creating and empowering an agency, remove its personnel, and transfer its records to the department of administrative services pursuant to division (E) of section 149.331 of the Revised Code.	65 66 67 68

(C) "Terminate" means to amend or repeal the statutes 69  
creating and empowering an agency, remove its personnel, and 70  
reassign its functions and records to another agency or officer 71  
designated by the general assembly. 72

(D) "Transfer" means to amend the statutes creating and 73  
empowering an agency so that its functions, records, and 74  
personnel are conveyed to another agency or officer. 75

(E) "Renew" means to continue an agency, and may include 76  
amendment of the statutes creating and empowering the agency, or 77  
recommendations for changes in agency operation or personnel. 78

**Sec. 103.13.** The Ohio legislative service commission 79  
shall: 80

(A) Conduct research, make investigations, and secure 81  
information or data on any subject and make reports thereon to 82  
the general assembly; 83

(B) Ascertain facts and make reports concerning the state 84  
budget, the revenues and expenditures of the state, and of the 85  
organization and functions of the state, its departments, 86  
subdivisions, and agencies; 87

(C) Make surveys, investigations, and studies, and compile 88  
data, information, and records on any question which may be 89  
referred to it by either house of the general assembly or any 90  
standing committee of the general assembly; 91

(D) Assist and cooperate with any interim legislative 92  
committee or other agency created by the general assembly; 93

(E) Prepare or advise in the preparation of any bill or 94  
resolution, when requested by any member of the general 95  
assembly; 96

(F) Collect, classify, and index the documents of the state which shall include executive and legislative documents and departmental reports and keep on file all bills, resolutions, and official journals printed by order of either house of the general assembly;

(G) Provide members of the general assembly with impartial and accurate information and reports concerning legislative problems in accordance with rules prescribed by the commission;

(H) Annually collect the reports required by section 4743.01 of the Revised Code and prepare a report evaluating the extent to which state boards and commissions which regulate occupations are financially self-supporting. The report shall be presented to the speaker and the minority leader of the house of representatives, the president and the minority leader of the senate, and the chairperson and ranking minority member of the finance committees of both houses, on or before the thirty-first day of December each year.

(I) Codify the rules of administrative agencies of the state in accordance with the provisions of section 103.05 of the Revised Code;

(J) Publish the register of Ohio under section 103.051 of the Revised Code;

(K) Operate the electronic rule-filing system under section 103.0511 of the Revised Code;

(L) Conduct research and provide staffing and technical assistance to the long-range financial outlook council under sections 103.35 to 103.39 of the Revised Code.

Sec. 103.35. (A) There is hereby created the long-range financial outlook council consisting of at least fifteen but not

more than twenty-one members. The members of the council shall 126  
be residents of the state and shall include individuals with 127  
expertise in financial institutions and financial services. Not 128  
more than one-half plus one of the members shall be members of 129  
the same political party. No member of the general assembly 130  
shall serve as a member of the council. Members shall be 131  
appointed as follows: 132

(1) One member appointed by the chairperson of the Ohio 133  
legislative service commission, who shall serve as the council 134  
chairperson; 135

(2) Two members appointed by the director of budget and 136  
management; 137

(3) At least six, but not more than nine, members 138  
appointed by the speaker of the house of representatives, which 139  
appointments shall include at least one certified public 140  
accountant, at least one certified financial analyst, at least 141  
one economist, and at least one banker; 142

(4) At least six, but not more than nine, members 143  
appointed by the president of the senate, which appointments 144  
shall include at least one certified public accountant, at least 145  
one certified financial analyst, at least one economist, and at 146  
least one banker. 147

(B) Appointments to the council shall be made not later 148  
than March 1, 2018. Of the initial appointments made by the 149  
speaker of the house of representatives, at least two, but not 150  
more than three, shall be for terms ending March 1, 2019, at 151  
least one, but not more than two, shall be for terms ending 152  
March 1, 2020, at least one, but not more than two, shall be for 153  
terms ending March 1, 2021, and two shall be for terms ending 154

March 1, 2022. Of the initial appointments made by the president 155  
of the senate, at least two, but not more than three, shall be 156  
for terms ending March 1, 2019, at least one, but not more than 157  
two, shall be for terms ending March 1, 2020, at least one, but 158  
not more than two, shall be for terms ending March 1, 2021, and 159  
two shall be for terms ending March 1, 2022. The initial 160  
appointments made by the director shall be for terms ending 161  
March 1, 2022. The initial appointment made by the commission 162  
chairperson shall be for a term ending March 1, 2020. 163  
Thereafter, except for the term of office for the council 164  
chairperson, terms of office shall be for four years, with each 165  
term ending on the same day of the same month as the term that 166  
it succeeds. The term of office for the council chairperson 167  
shall be for two years, with the term ending on the same day of 168  
the same month as the term it succeeds. 169

Each member of the council shall hold office from the date 170  
of appointment until the end of the term for which the member 171  
was appointed. Members may be reappointed. Vacancies shall be 172  
filled in the manner provided for original appointments. Any 173  
member appointed to fill a vacancy occurring prior to the 174  
expiration date of the term for which the member's predecessor 175  
was appointed shall hold office as a member for the remainder of 176  
that term. A member shall continue in office subsequent to the 177  
expiration date of the term until the member's successor takes 178  
office or until a period of sixty days has elapsed, whichever 179  
occurs first. 180

(C) Members of the council shall serve without 181  
compensation but shall be reimbursed for the actual and 182  
necessary expenses incurred in the performance of their official 183  
duties. 184

<u>Sec. 103.36. (A) The long-range financial outlook council</u>	185
<u>annually shall:</u>	186
<u>(1) Conduct regular reviews of the current fiscal position</u>	187
<u>of the state, including the state debt and debt service, and</u>	188
<u>establish a method for a long-range financial projection at the</u>	189
<u>state level in order to help maintain the state's financial</u>	190
<u>stability between fiscal years and avoid future budget problems;</u>	191
<u>(2) Integrate baseline projections of the budget</u>	192
<u>requirements of the major programs comprising the state's budget</u>	193
<u>with revenue estimates for the state based on current law;</u>	194
<u>(3) Analyze the state's long-range financial outlook for</u>	195
<u>the purpose of providing impartial, accurate information to</u>	196
<u>assist the general assembly in establishing the state's biennial</u>	197
<u>budget;</u>	198
<u>(4) Study economic forecasts for the state;</u>	199
<u>(5) Review the demographics of the state;</u>	200
<u>(6) Request information from state agencies about their</u>	201
<u>financial status and projections for the next four fiscal years;</u>	202
<u>(7) Determine the accuracy of financial projections in</u>	203
<u>previous long-range financial outlook reports issued pursuant to</u>	204
<u>section 103.38 of the Revised Code.</u>	205
<u>(B) State agencies, including the office of budget and</u>	206
<u>management, shall cooperate with the council and provide</u>	207
<u>information based on current law to the council as requested.</u>	208
<u>(C) The council may study other issues that the council</u>	209
<u>determines have the potential to temporarily or permanently</u>	210
<u>affect the financial outlook of the state.</u>	211



Sec. 103.37. The long-range financial outlook council 212  
shall meet at the call of the chairperson and shall conduct 213  
public hearings at which interested parties, including state 214  
agency representatives, may submit testimony about the financial 215  
outlook of the state. 216

Sec. 103.38. (A) Upon completion of the review and 217  
analysis required under section 103.36 of the Revised Code, but 218  
not later than September 1, 2018, and the first of September 219  
annually thereafter, the long-range financial outlook council 220  
shall issue a long-range financial outlook report, including an 221  
executive summary, of its findings. The report shall include, 222  
but shall not be limited to, the following information agreed to 223  
by council consensus and based on current law and demographic 224  
and other factors as specified by the council: 225

(1) Projections of future financial needs of the state for 226  
the next four fiscal years; 227

(2) Projections of future resources of the state; 228

(3) Actual revenues for the previous three fiscal years 229  
and revenue estimates for the next four fiscal years; 230

(4) A review of both revenue estimates and projections for 231  
the budget requirements and expenditures of major state-funded 232  
programs; 233

(5) Per agency workload estimates for state agencies. 234

(B) The Ohio legislative service commission shall conduct 235  
research and provide staffing and technical assistance for the 236  
council. 237

(C) Upon request of the commission, the office of budget 238  
and management and all other state agencies shall provide all 239

readily available information based on current law to the 240  
commission. 241

(D) Each year upon the adoption of the report by a 242  
majority of the council members, the council shall do the 243  
following: 244

(1) Publish the latest report on the web sites of the 245  
general assembly, the commission, and the office of budget and 246  
management; 247

(2) Submit the report to the general assembly and the 248  
executive summary of the report to the clerk of the house of 249  
representatives. 250

**Sec. 103.39.** Beginning in 2019 and annually thereafter, 251  
the general assembly shall meet in joint convention, not later 252  
than January 31, for the purpose of receiving the most recent 253  
long-range financial outlook report issued by the long-range 254  
financial outlook council pursuant to section 103.38 of the 255  
Revised Code. The clerk of the house of representatives or a 256  
person designated by the clerk shall read the executive summary 257  
of the report at the joint convention. 258

**Sec. 107.036.** As part of the governor's executive budget 259  
proposal submitted biennially to the general assembly pursuant 260  
to section 107.03 of the Revised Code, the governor shall 261  
include a review of the most recent long-range financial outlook 262  
report adopted by the long-range financial outlook council along 263  
with recommendations for revisions to the report. 264

**Section 2.** That existing sections 101.82 and 103.13 of the 265  
Revised Code are hereby repealed. 266