

As Introduced

**135th General Assembly
Regular Session
2023-2024**

H. B. No. 340

Representatives Peterson, Dobos

A BILL

To enact section 122.97 of the Revised Code to 1
authorize an employee mobility grant program to 2
be administered by the Director of Development 3
and to make an appropriation. 4

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

Section 1. That section 122.97 of the Revised Code be 5
enacted to read as follows: 6

Sec. 122.97. (A) As used in this section: 7

(1) "The employee mobility program" or "the program" means 8
the program created under this section. 9

(2) "Commuter highway vehicle" has the same meaning as in 10
section 132 of the Internal Revenue Code. 11

(3) "Eligible commuter highway vehicle" means a commuter 12
highway vehicle that is owned and operated by a qualifying 13
driving service that is contractually engaged and compensated by 14
a selected employer. 15

(4) "Eligible transportation expenses," for an employee of 16
a selected employer, equals the lesser of two thousand five 17
hundred dollars or an amount computed as follows: 18

(a) Multiply the total qualifying miles traveled by the employee in an eligible commuter highway vehicle during the applicable grant period by twenty-five cents; 19
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(b) Subtract, from the amount calculated under division (A) (4) (a) of this section, any qualified transportation fringe benefits provided by the selected employer to the employee for transportation in a commuter highway vehicle and excluded from the employee's gross income under section 132 of the Internal Revenue Code for the employee's taxable year ending in the grant period. 22
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For the purpose of division (A) (4) of this section, the "qualifying miles" traveled by an employee equals the shortest possible driving distance on public highways, in miles, between the employee's residence and place of employment, rounded to the nearest mile and multiplied by the number of times the employee traveled in the eligible commuter highway vehicle between those two locations during grant period. 29
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(5) "Qualifying driving service" means a charter transportation service operated by a person, other than a selected employer, that hires employees, and not independent contractors, to drive fleet-owned vehicles and that is insured in an amount equal to five million dollars or more. 36
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(6) "Selected employer" means an employer selected by the director of development as a grant recipient under division (B) of this section. 41
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(7) "Grant period" means the one-year period selected by a selected employer under division (B) (2) (b) of this section, or an additional one-year period that the director reapproves the selected employer for participation in the program under 44
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division (F) of this section. 48

(8) "Internal Revenue Code" has the same meaning as in 49
section 5747.01 of the Revised Code. 50

(B) (1) The director of development shall create and 51
administer the employee mobility program pursuant to which it 52
awards grants to employers that meet all of the following 53
requirements: 54

(a) The employer's place of employment on the basis of 55
which eligible transportation expenses are incurred is located 56
in a county with a population of less than fifty thousand; 57

(b) The employer commits to pay for fifty per cent of its 58
eligible transportation expenses; 59

(c) The employer commits to participate in the program for 60
at least a one-year period; 61

(d) The employer commits to require employees to complete 62
and send to the director quarterly employee surveys. 63

(2) An employer may apply for a grant under this section 64
by submitting an application to the director of development, in 65
a form prescribed by the director, which includes all of the 66
following: 67

(a) Evidence that the applicant meets the requirements of 68
the program; 69

(b) A one-year period, selected by the employer but 70
beginning not later than sixty days after the application is 71
approved by the director, during which the employer intends to 72
incur eligible transportation expenses; 73

(c) The applicant's estimated eligible transportation 74

expenses during the proposed grant period; 75

(d) A statement pledging the employer's intent to comply 76
with the commitments described in division (B)(1) of this 77
section. 78

(3) The director shall approve or deny an application 79
within thirty days after receiving it. If the application is 80
approved, the director shall disburse a grant in accordance with 81
this division from the general revenue fund to the selected 82
employer, which shall equal, for each grant period, the lesser 83
of fifteen thousand dollars or fifty per cent of the employer's 84
actual eligible transportation expenses during the grant period. 85

Grant funds shall be disbursed to selected employers on a 86
quarterly basis, after the employer files each quarterly report 87
required under division (C)(2) of this section. The amount of 88
each payment shall equal fifty per cent the employer's actual 89
eligible transportation expenses incurred during that quarter, 90
up to the fifteen-thousand-dollar limitation on the total grants 91
for the grant period. 92

(C) In administering the program, the director of 93
development shall do all of the following: 94

(1) Solicit applications from employers to participate in 95
the program and, if possible, select two employers from central 96
Ohio, two employers from northeast Ohio, two employers from 97
northwest Ohio, two employers from southeast Ohio, and two 98
employers from southwest Ohio as the first ten selected 99
employers to receive a grant; 100

(2) Develop quarterly reporting requirements, which shall 101
require selected employers to report all of the following: 102

(a) The total mileage driven by qualifying driving 103

services in eligible commuter highway vehicles to transport 104
employees during the quarter, arranged by each month of the 105
quarter; 106

(b) The number of employees that utilized an eligible 107
commuter highway vehicle during the quarter, arranged by each 108
month of the quarter; 109

(c) The number of rides given to employees in an eligible 110
commuter highway vehicle during the quarter, arranged by each 111
month of the quarter; 112

(d) The amount of eligible transportation expenses 113
incurred by the employer during the quarter and since the 114
beginning of the grant period and the amount of such expenses 115
paid by grant proceeds and otherwise paid by the employer, 116
arranged by each month of the grant period; 117

(e) The number of miles that employee travel has been 118
reduced during the quarter, arranged by each month of the 119
quarter; 120

(f) Any other information the director requires. 121

(3) Develop a quarterly employee survey and send it to the 122
employees of selected employers participating in the program 123
during the quarter; 124

(4) Prescribe the due dates of quarterly employer and 125
employee reports. 126

(D) Selected employers shall begin incurring eligible 127
transportation expenses not later than sixty days after being 128
approved by the director of development for a grant under 129
division (B) (3) of this section, comply with program guidelines, 130
including with quarterly reporting requirements, and require 131

employees to complete employee surveys. 132

(E) If a selected employer fails to comply with the 133
commitment described in division (B) (1) (c) of this section, the 134
director shall cease to disburse any remaining grant amounts to 135
the employer and may not reapprove an additional grant under 136
division (F) of this section for the employer. Nothing prohibits 137
such an employer for submitting a new application for a grant 138
under division (B) of this section. 139

(F) The director of development may reapprove a selected 140
employer to receive an additional grant under this section after 141
the employer's initial grant period has expired so long as the 142
selected employer elects to continue receiving grants and 143
remains eligible to participate in the program and sufficient 144
grant funds are available for disbursement for the following 145
grant period. Any new grant period begins on the day following 146
the last day of the preceding grant period. Grants received for 147
grant periods beyond the first and selected employers are 148
subject to all the requirements of this section applicable 149
during the initial grant period. 150

Section 2. All items in this act are hereby appropriated 151
as designated out of any moneys in the state treasury to the 152
credit of the designated fund. For all operating appropriations 153
made in this act, those in the first column are for fiscal year 154
2024 and those in the second column are for fiscal year 2025. 155
The operating appropriations made in this act are in addition to 156
any other operating appropriations made for these fiscal years. 157

Section 3. 158

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A	DEV DEPARTMENT OF DEVELOPMENT				
B	General Revenue Fund				
C	GRF	195585	Mobility Program	\$2,000,000	\$2,000,000
D	TOTAL GRF General Revenue Fund			\$2,000,000	\$2,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$2,000,000	\$2,000,000

MOBILITY PROGRAM 160

The foregoing appropriation item 195585, Mobility Program, 161
shall be used by the Department of Development to award grants 162
under the Employee Mobility Program established in section 163
122.97 of the Revised Code. 164

Section 4. Within the limits set forth in this act, the 165
Director of Budget and Management shall establish accounts 166
indicating the source and amount of funds for each appropriation 167
made in this act, and shall determine the manner in which 168
appropriation accounts shall be maintained. Expenditures from 169
operating appropriations contained in this act shall be 170
accounted for as though made in, and are subject to all 171
applicable provisions of, H.B. 33 of the 135th General Assembly. 172