



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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(As Reported by S. Transportation, Commerce & Workforce)

Reps. McColley, Cera, Rogers, Anielski, Antonio, Arndt, Ashford, Barnes, Blessing, Celebrezze, DeVitis, Ginter, Green, Hambley, Hill, Manning, Miller, Patton, Pelanda, Perales, Reineke, Ryan, Scherer, Seitz, R. Smith, Stein, Strahorn, Sweeney, Thompson, West

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* This analysis was prepared before the report of the Senate Transportation, Commerce & Workforce Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

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Under continuing law, constitutionally authorized state bond issues are used to fund local infrastructure assistance in the form of grants and loans and other borrowing assistance to local governments. Loan repayments fund a revolving loan fund, which in turn is used to make loans to also fund local infrastructure improvement.¹³

Natural gas company infrastructure development rider

(R.C. 4929.161, 4929.162, 4929.163, and 4929.166; R.C. 4929.164 (repealed); Section 749.10; R.C. 122.9511, not in the bill)

Rider monthly recovery limit change

The bill changes the limit on the amount a natural gas company is able to recover under an infrastructure development rider to no more than \$1.50 per Ohio customer per monthly billing period. This new limit applies to all PUCO-approved economic development projects, which include projects for which an application has been made for certification under the SiteOhio certification program. Continuing law requires that a company must recover the same amount from every customer in a billing period.

Under current law, the recovery limit is \$2 per Ohio customer per calendar year for economic development projects and \$1 per Ohio customer per calendar year for a project submitted for certification under the SiteOhio certification program. By changing these limits and providing for rider-recovery on a monthly billing period basis, the bill has the effect of increasing the amount that may be recovered.

Monthly recovery transitional authority

Under the bill, an infrastructure development rider that was approved prior to the bill's effective date is to be subject to the bill's new rider provisions. If a rider was approved to recover costs for a project that was certified under the SiteOhio certification program, the company is permitted to continue infrastructure development cost recovery under that rider until they are fully recovered. Recovery of those costs, however, is to be included in calculating the customer charge that is subject to the \$1.50 cap established under the bill.

Elimination of separate treatment of SiteOhio projects

The bill repeals the separate process for PUCO approval, for infrastructure development rider recovery, of an economic development project that has been submitted to the Director of Development Services for the SiteOhio certification program. Under continuing law, the SiteOhio certification program certifies eligible

¹³ R.C. 164.08, not in the bill.

projects for listing on the Department of Development's website and to be marketed by the Director to interested persons. The bill includes such projects with all other economic development projects for which cost recovery is sought under an infrastructure development rider.

Under current law, a natural gas company may request the PUCO to approve the submitted SiteOhio project for infrastructure development cost recovery under an infrastructure development rider using an accelerated review process established in PUCO rules.

Limit on number of riders

The bill expressly provides that the PUCO can only approve one infrastructure development rider per natural gas company. Although current law does not expressly permit more than one rider, neither does it expressly prohibit more than one.

Financial responsibility instruments in agency rules

(R.C. 106.03, 119.03, and 121.82)

The bill creates new process requirements for state agencies that propose or amend rules that require a person to obtain a financial responsibility instrument, liability insurance, or a bond as a condition to receive a license. Agencies must review all existing rules to identify any rules that require a financial responsibility instrument as a condition for a person to receive a license. When an agency proposes a new rule or amends an existing rule that requires a financial responsibility instrument for a license, the agency must conduct a search to determine whether the financial responsibility instrument required by the rule is available in the required amount. After conducting the search, the agency must certify that it conducted the search to the Joint Committee on Agency Rule Review. If the rule requires a financial responsibility instrument for a license and also has an adverse impact on businesses, the agency must additionally certify that it conducted a search for any required financial responsibility instruments to the Common Sense Initiative Office. Current law does not require agencies to conduct searches for required financial responsibility instruments.

Healthier Buckeye Grant Pilot Program

(Section 610.13; Section 305.30 of H.B. 64 of the 131st General Assembly)

The bill authorizes continuation of the Healthier Buckeye Grant Pilot Program through December 31, 2017. Under the Program, the Director of Job and Family Services awards grants to local healthier buckeye councils and other individuals and organizations based on criteria recommended by the Ohio Healthier Buckeye Advisory

