

# As Reported by the Senate Finance Committee

131st General Assembly

Regular Session

2015-2016

Sub. H. B. No. 340

## Representative Amstutz

**Cosponsors: Representatives Rogers, Duffey, Grossman, Sweeney, Hambley, Ryan, Smith, R., Baker, Hackett, Ruhl, Young, Derickson, Ginter, Anielski, Antonio, Arndt, Boose, Boyce, Brown, Buchy, Burkley, Conditt, Craig, Cupp, Dovilla, Green, Hagan, Hall, Henne, Kunze, Leland, Maag, McClain, O'Brien, M., Patterson, Reece, Retherford, Scherer, Schuring, Sears, Slesnick, Smith, K., Sprague, Stinziano, Strahorn, Speaker Rosenberger**

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## A B I L L

To amend sections 109.572, 124.386, 133.06, 135.182, 1  
164.20, 189.10, 353.03, 1121.10, 1121.24, 1123.03, 2  
1181.17, 3307.01, 3309.013, 3313.976, 3314.085, 3  
3317.0216, 3318.71, 3319.271, 3335.361, 3702.59, 4  
3721.03, 5104.01, 5104.03, 5705.2112, 5709.17, 5  
5726.98, 5733.01, 5733.98, 5751.01, and 6301.11; 6  
to enact sections 3333.93 and 5705.2113; to repeal 7  
sections 1121.29, 1155.13, 1163.16, 5726.51, and 8  
5733.063 of the Revised Code; and to repeal 9  
section 3333.93 of the Revised Code on December 10  
31, 2019; and to amend Sections 241.10, 259.10, 11  
259.40, 263.10, 263.280, 337.10, 337.30, 369.10, 12  
369.314, 369.393, 369.470, 371.10, 401.10, and 13  
701.120 of Am. Sub. H.B. 64 of the 131st General 14  
Assembly, and to amend Section 263.325 of Am. Sub. 15  
H.B. 64 of the 131st General Assembly, as 16  
subsequently amended, to make program and 17  
budgetary modifications, to make an appropriation, 18

and to declare an emergency.

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

**Section 101.01.** That sections 109.572, 124.386, 133.06, 135.182, 164.20, 189.10, 353.03, 1121.10, 1121.24, 1123.03, 1181.17, 3307.01, 3309.013, 3313.976, 3314.085, 3317.0216, 3318.71, 3319.271, 3335.361, 3702.59, 3721.03, 5104.01, 5104.03, 5705.2112, 5709.17, 5726.98, 5733.01, 5733.98, 5751.01, and 6301.11 be amended and sections 3333.93 and 5705.2113 of the Revised Code be enacted to read as follows:

**Sec. 109.572.** (A)(1) Upon receipt of a request pursuant to section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, felonious sexual penetration in violation of former section 2907.12 of the Revised Code, a violation of section 2905.04 of the Revised Code as it

existed prior to July 1, 1996, a violation of section 2919.23 of 48  
the Revised Code that would have been a violation of section 49  
2905.04 of the Revised Code as it existed prior to July 1, 1996, 50  
had the violation been committed prior to that date, or a 51  
violation of section 2925.11 of the Revised Code that is not a 52  
minor drug possession offense; 53

(b) A violation of an existing or former law of this state, 54  
any other state, or the United States that is substantially 55  
equivalent to any of the offenses listed in division (A)(1)(a) of 56  
this section; 57

(c) If the request is made pursuant to section 3319.39 of the 58  
Revised Code for an applicant who is a teacher, any offense 59  
specified in section 3319.31 of the Revised Code. 60

(2) On receipt of a request pursuant to section 3712.09 or 61  
3721.121 of the Revised Code, a completed form prescribed pursuant 62  
to division (C)(1) of this section, and a set of fingerprint 63  
impressions obtained in the manner described in division (C)(2) of 64  
this section, the superintendent of the bureau of criminal 65  
identification and investigation shall conduct a criminal records 66  
check with respect to any person who has applied for employment in 67  
a position for which a criminal records check is required by those 68  
sections. The superintendent shall conduct the criminal records 69  
check in the manner described in division (B) of this section to 70  
determine whether any information exists that indicates that the 71  
person who is the subject of the request previously has been 72  
convicted of or pleaded guilty to any of the following: 73

(a) A violation of section 2903.01, 2903.02, 2903.03, 74  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 75  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 76  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 77  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 78  
2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 79

2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 80  
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 81  
2925.22, 2925.23, or 3716.11 of the Revised Code; 82

(b) An existing or former law of this state, any other state, 83  
or the United States that is substantially equivalent to any of 84  
the offenses listed in division (A)(2)(a) of this section. 85

(3) On receipt of a request pursuant to section 173.27, 86  
173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 5123.081, 87  
or 5123.169 of the Revised Code, a completed form prescribed 88  
pursuant to division (C)(1) of this section, and a set of 89  
fingerprint impressions obtained in the manner described in 90  
division (C)(2) of this section, the superintendent of the bureau 91  
of criminal identification and investigation shall conduct a 92  
criminal records check of the person for whom the request is made. 93  
The superintendent shall conduct the criminal records check in the 94  
manner described in division (B) of this section to determine 95  
whether any information exists that indicates that the person who 96  
is the subject of the request previously has been convicted of, 97  
has pleaded guilty to, or (except in the case of a request 98  
pursuant to section 5164.34, 5164.341, or 5164.342 of the Revised 99  
Code) has been found eligible for intervention in lieu of 100  
conviction for any of the following, regardless of the date of the 101  
conviction, the date of entry of the guilty plea, or (except in 102  
the case of a request pursuant to section 5164.34, 5164.341, or 103  
5164.342 of the Revised Code) the date the person was found 104  
eligible for intervention in lieu of conviction: 105

(a) A violation of section 959.13, 959.131, 2903.01, 2903.02, 106  
2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 2903.15, 107  
2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 2905.01, 108  
2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 2907.02, 109  
2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 110  
2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 2907.32, 111

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| 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 2909.03, 2909.04,  | 112 |
| 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12,     | 113 |
| 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 2913.11, 2913.21,     | 114 |
| 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 2913.43, 2913.44,     | 115 |
| 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 2913.49, 2913.51,    | 116 |
| 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 2919.121, 2919.123,   | 117 |
| 2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 2921.11, 2921.12,     | 118 |
| 2921.13, 2921.21, 2921.24, 2921.32, 2921.321, 2921.34, 2921.35,    | 119 |
| 2921.36, 2921.51, 2923.12, 2923.122, 2923.123, 2923.13, 2923.161,  | 120 |
| 2923.162, 2923.21, 2923.32, 2923.42, 2925.02, 2925.03, 2925.04,    | 121 |
| 2925.041, 2925.05, 2925.06, 2925.09, 2925.11, 2925.13, 2925.14,    | 122 |
| 2925.141, 2925.22, 2925.23, 2925.24, 2925.36, 2925.55, 2925.56,    | 123 |
| 2927.12, or 3716.11 of the Revised Code;                           | 124 |
| <br>   |     |
| (b) Felonious sexual penetration in violation of former            | 125 |
| section 2907.12 of the Revised Code;                               | 126 |
| <br>   |     |
| (c) A violation of section 2905.04 of the Revised Code as it       | 127 |
| existed prior to July 1, 1996;                                     | 128 |
| <br>   |     |
| (d) A violation of section 2923.01, 2923.02, or 2923.03 of         | 129 |
| the Revised Code when the underlying offense that is the object of | 130 |
| the conspiracy, attempt, or complicity is one of the offenses      | 131 |
| listed in divisions (A)(3)(a) to (c) of this section;              | 132 |
| <br>   |     |
| (e) A violation of an existing or former municipal ordinance       | 133 |
| or law of this state, any other state, or the United States that   | 134 |
| is substantially equivalent to any of the offenses listed in       | 135 |
| divisions (A)(3)(a) to (d) of this section.                        | 136 |
| <br>   |     |
| (4) On receipt of a request pursuant to section 2151.86 of         | 137 |
| the Revised Code, a completed form prescribed pursuant to division | 138 |
| (C)(1) of this section, and a set of fingerprint impressions       | 139 |
| obtained in the manner described in division (C)(2) of this        | 140 |
| section, the superintendent of the bureau of criminal              | 141 |
| identification and investigation shall conduct a criminal records  | 142 |

check in the manner described in division (B) of this section to 143  
determine whether any information exists that indicates that the 144  
person who is the subject of the request previously has been 145  
convicted of or pleaded guilty to any of the following: 146

(a) A violation of section 959.13, 2903.01, 2903.02, 2903.03, 147  
2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 2903.21, 148  
2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 149  
2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 150  
2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 151  
2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 2909.23, 2909.24, 152  
2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 2917.01, 2917.02, 153  
2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 154  
2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2927.12, or 3716.11 155  
of the Revised Code, a violation of section 2905.04 of the Revised 156  
Code as it existed prior to July 1, 1996, a violation of section 157  
2919.23 of the Revised Code that would have been a violation of 158  
section 2905.04 of the Revised Code as it existed prior to July 1, 159  
1996, had the violation been committed prior to that date, a 160  
violation of section 2925.11 of the Revised Code that is not a 161  
minor drug possession offense, two or more OVI or OVUAC violations 162  
committed within the three years immediately preceding the 163  
submission of the application or petition that is the basis of the 164  
request, or felonious sexual penetration in violation of former 165  
section 2907.12 of the Revised Code; 166

(b) A violation of an existing or former law of this state, 167  
any other state, or the United States that is substantially 168  
equivalent to any of the offenses listed in division (A)(4)(a) of 169  
this section. 170

(5) Upon receipt of a request pursuant to section 5104.013 of 171  
the Revised Code, a completed form prescribed pursuant to division 172  
(C)(1) of this section, and a set of fingerprint impressions 173  
obtained in the manner described in division (C)(2) of this 174

section, the superintendent of the bureau of criminal 175  
identification and investigation shall conduct a criminal records 176  
check in the manner described in division (B) of this section to 177  
determine whether any information exists that indicates that the 178  
person who is the subject of the request has been convicted of or 179  
pleaded guilty to any of the following: 180

(a) A violation of section 2151.421, 2903.01, 2903.02, 181  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 182  
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 183  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 184  
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 185  
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 186  
2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 2913.02, 187  
2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 2913.21, 188  
2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 2913.42, 189  
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 190  
2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 2919.22, 191  
2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 2921.13, 192  
2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 2923.161, 193  
2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the 194  
Revised Code, felonious sexual penetration in violation of former 195  
section 2907.12 of the Revised Code, a violation of section 196  
2905.04 of the Revised Code as it existed prior to July 1, 1996, a 197  
violation of section 2919.23 of the Revised Code that would have 198  
been a violation of section 2905.04 of the Revised Code as it 199  
existed prior to July 1, 1996, had the violation been committed 200  
prior to that date, a violation of section 2925.11 of the Revised 201  
Code that is not a minor drug possession offense, a violation of 202  
section 2923.02 or 2923.03 of the Revised Code that relates to a 203  
crime specified in this division, or a second violation of section 204  
4511.19 of the Revised Code within five years of the date of 205  
application for licensure or certification. 206

(b) A violation of an existing or former law of this state, 207  
any other state, or the United States that is substantially 208  
equivalent to any of the offenses or violations described in 209  
division (A)(5)(a) of this section. 210

(6) Upon receipt of a request pursuant to section 5153.111 of 211  
the Revised Code, a completed form prescribed pursuant to division 212  
(C)(1) of this section, and a set of fingerprint impressions 213  
obtained in the manner described in division (C)(2) of this 214  
section, the superintendent of the bureau of criminal 215  
identification and investigation shall conduct a criminal records 216  
check in the manner described in division (B) of this section to 217  
determine whether any information exists that indicates that the 218  
person who is the subject of the request previously has been 219  
convicted of or pleaded guilty to any of the following: 220

(a) A violation of section 2903.01, 2903.02, 2903.03, 221  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 222  
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 223  
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 224  
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 225  
2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 226  
2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 227  
2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, 228  
felonious sexual penetration in violation of former section 229  
2907.12 of the Revised Code, a violation of section 2905.04 of the 230  
Revised Code as it existed prior to July 1, 1996, a violation of 231  
section 2919.23 of the Revised Code that would have been a 232  
violation of section 2905.04 of the Revised Code as it existed 233  
prior to July 1, 1996, had the violation been committed prior to 234  
that date, or a violation of section 2925.11 of the Revised Code 235  
that is not a minor drug possession offense; 236

(b) A violation of an existing or former law of this state, 237  
any other state, or the United States that is substantially 238

equivalent to any of the offenses listed in division (A)(6)(a) of 239  
this section. 240

(7) On receipt of a request for a criminal records check from 241  
an individual pursuant to section 4749.03 or 4749.06 of the 242  
Revised Code, accompanied by a completed copy of the form 243  
prescribed in division (C)(1) of this section and a set of 244  
fingerprint impressions obtained in a manner described in division 245  
(C)(2) of this section, the superintendent of the bureau of 246  
criminal identification and investigation shall conduct a criminal 247  
records check in the manner described in division (B) of this 248  
section to determine whether any information exists indicating 249  
that the person who is the subject of the request has been 250  
convicted of or pleaded guilty to a felony in this state or in any 251  
other state. If the individual indicates that a firearm will be 252  
carried in the course of business, the superintendent shall 253  
require information from the federal bureau of investigation as 254  
described in division (B)(2) of this section. Subject to division 255  
(F) of this section, the superintendent shall report the findings 256  
of the criminal records check and any information the federal 257  
bureau of investigation provides to the director of public safety. 258

(8) On receipt of a request pursuant to section 1321.37, 259  
1321.53, 1321.531, 1322.03, 1322.031, or 4763.05 of the Revised 260  
Code, a completed form prescribed pursuant to division (C)(1) of 261  
this section, and a set of fingerprint impressions obtained in the 262  
manner described in division (C)(2) of this section, the 263  
superintendent of the bureau of criminal identification and 264  
investigation shall conduct a criminal records check with respect 265  
to any person who has applied for a license, permit, or 266  
certification from the department of commerce or a division in the 267  
department. The superintendent shall conduct the criminal records 268  
check in the manner described in division (B) of this section to 269  
determine whether any information exists that indicates that the 270

person who is the subject of the request previously has been 271  
convicted of or pleaded guilty to any of the following: a 272  
violation of section 2913.02, 2913.11, 2913.31, 2913.51, or 273  
2925.03 of the Revised Code; any other criminal offense involving 274  
theft, receiving stolen property, embezzlement, forgery, fraud, 275  
passing bad checks, money laundering, or drug trafficking, or any 276  
criminal offense involving money or securities, as set forth in 277  
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 278  
the Revised Code; or any existing or former law of this state, any 279  
other state, or the United States that is substantially equivalent 280  
to those offenses. 281

(9) On receipt of a request for a criminal records check from 282  
the treasurer of state under section 113.041 of the Revised Code 283  
or from an individual under section 4701.08, 4715.101, 4717.061, 284  
4725.121, ~~4725.46~~, 4725.501, 4729.071, 4730.101, 4730.14, 4730.28, 285  
4731.081, 4731.15, 4731.171, 4731.222, 4731.281, 4731.296, 286  
4731.531, 4732.091, 4734.202, 4740.061, 4741.10, 4755.70, 287  
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 288  
4762.06, 4776.021, 4779.091, or 4783.04 of the Revised Code, 289  
accompanied by a completed form prescribed under division (C)(1) 290  
of this section and a set of fingerprint impressions obtained in 291  
the manner described in division (C)(2) of this section, the 292  
superintendent of the bureau of criminal identification and 293  
investigation shall conduct a criminal records check in the manner 294  
described in division (B) of this section to determine whether any 295  
information exists that indicates that the person who is the 296  
subject of the request has been convicted of or pleaded guilty to 297  
any criminal offense in this state or any other state. Subject to 298  
division (F) of this section, the superintendent shall send the 299  
results of a check requested under section 113.041 of the Revised 300  
Code to the treasurer of state and shall send the results of a 301  
check requested under any of the other listed sections to the 302  
licensing board specified by the individual in the request. 303

(10) On receipt of a request pursuant to section 1121.23, 304  
1155.03, 1163.05, 1315.141, 1733.47, or 1761.26 of the Revised 305  
Code, a completed form prescribed pursuant to division (C)(1) of 306  
this section, and a set of fingerprint impressions obtained in the 307  
manner described in division (C)(2) of this section, the 308  
superintendent of the bureau of criminal identification and 309  
investigation shall conduct a criminal records check in the manner 310  
described in division (B) of this section to determine whether any 311  
information exists that indicates that the person who is the 312  
subject of the request previously has been convicted of or pleaded 313  
guilty to any criminal offense under any existing or former law of 314  
this state, any other state, or the United States. 315

(11) On receipt of a request for a criminal records check 316  
from an appointing or licensing authority under section 3772.07 of 317  
the Revised Code, a completed form prescribed under division 318  
(C)(1) of this section, and a set of fingerprint impressions 319  
obtained in the manner prescribed in division (C)(2) of this 320  
section, the superintendent of the bureau of criminal 321  
identification and investigation shall conduct a criminal records 322  
check in the manner described in division (B) of this section to 323  
determine whether any information exists that indicates that the 324  
person who is the subject of the request previously has been 325  
convicted of or pleaded guilty or no contest to any offense under 326  
any existing or former law of this state, any other state, or the 327  
United States that is a disqualifying offense as defined in 328  
section 3772.07 of the Revised Code or substantially equivalent to 329  
such an offense. 330

(12) On receipt of a request pursuant to section 2151.33 or 331  
2151.412 of the Revised Code, a completed form prescribed pursuant 332  
to division (C)(1) of this section, and a set of fingerprint 333  
impressions obtained in the manner described in division (C)(2) of 334  
this section, the superintendent of the bureau of criminal 335

identification and investigation shall conduct a criminal records 336  
check with respect to any person for whom a criminal records check 337  
is required ~~by~~ under that section. The superintendent shall 338  
conduct the criminal records check in the manner described in 339  
division (B) of this section to determine whether any information 340  
exists that indicates that the person who is the subject of the 341  
request previously has been convicted of or pleaded guilty to any 342  
of the following: 343

(a) A violation of section 2903.01, 2903.02, 2903.03, 344  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 345  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 346  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 347  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 348  
2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 349  
2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 350  
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 351  
2925.22, 2925.23, or 3716.11 of the Revised Code; 352

(b) An existing or former law of this state, any other state, 353  
or the United States that is substantially equivalent to any of 354  
the offenses listed in division (A)(12)(a) of this section. 355

(B) Subject to division (F) of this section, the 356  
superintendent shall conduct any criminal records check to be 357  
conducted under this section as follows: 358

(1) The superintendent shall review or cause to be reviewed 359  
any relevant information gathered and compiled by the bureau under 360  
division (A) of section 109.57 of the Revised Code that relates to 361  
the person who is the subject of the criminal records check, 362  
including, if the criminal records check was requested under 363  
section 113.041, 121.08, 173.27, 173.38, 173.381, 1121.23, 364  
1155.03, 1163.05, 1315.141, 1321.37, 1321.53, 1321.531, 1322.03, 365  
1322.031, 1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 366  
3701.881, 3712.09, 3721.121, 3772.07, 4749.03, 4749.06, 4763.05, 367

5104.013, 5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 368  
5153.111 of the Revised Code, any relevant information contained 369  
in records that have been sealed under section 2953.32 of the 370  
Revised Code; 371

(2) If the request received by the superintendent asks for 372  
information from the federal bureau of investigation, the 373  
superintendent shall request from the federal bureau of 374  
investigation any information it has with respect to the person 375  
who is the subject of the criminal records check, including 376  
fingerprint-based checks of national crime information databases 377  
as described in 42 U.S.C. 671 if the request is made pursuant to 378  
section 2151.86 or 5104.013 of the Revised Code or if any other 379  
Revised Code section requires fingerprint-based checks of that 380  
nature, and shall review or cause to be reviewed any information 381  
the superintendent receives from that bureau. If a request under 382  
section 3319.39 of the Revised Code asks only for information from 383  
the federal bureau of investigation, the superintendent shall not 384  
conduct the review prescribed by division (B)(1) of this section. 385

(3) The superintendent or the superintendent's designee may 386  
request criminal history records from other states or the federal 387  
government pursuant to the national crime prevention and privacy 388  
compact set forth in section 109.571 of the Revised Code. 389

(4) The superintendent shall include in the results of the 390  
criminal records check a list or description of the offenses 391  
listed or described in division (A)(1), (2), (3), (4), (5), (6), 392  
(7), (8), (9), (10), (11), or (12) of this section, whichever 393  
division requires the superintendent to conduct the criminal 394  
records check. The superintendent shall exclude from the results 395  
any information the dissemination of which is prohibited by 396  
federal law. 397

(5) The superintendent shall send the results of the criminal 398  
records check to the person to whom it is to be sent not later 399

than the following number of days after the date the 400  
superintendent receives the request for the criminal records 401  
check, the completed form prescribed under division (C)(1) of this 402  
section, and the set of fingerprint impressions obtained in the 403  
manner described in division (C)(2) of this section: 404

(a) If the superintendent is required by division (A) of this 405  
section (other than division (A)(3) of this section) to conduct 406  
the criminal records check, thirty; 407

(b) If the superintendent is required by division (A)(3) of 408  
this section to conduct the criminal records check, sixty. 409

(C)(1) The superintendent shall prescribe a form to obtain 410  
the information necessary to conduct a criminal records check from 411  
any person for whom a criminal records check is to be conducted 412  
under this section. The form that the superintendent prescribes 413  
pursuant to this division may be in a tangible format, in an 414  
electronic format, or in both tangible and electronic formats. 415

(2) The superintendent shall prescribe standard impression 416  
sheets to obtain the fingerprint impressions of any person for 417  
whom a criminal records check is to be conducted under this 418  
section. Any person for whom a records check is to be conducted 419  
under this section shall obtain the fingerprint impressions at a 420  
county sheriff's office, municipal police department, or any other 421  
entity with the ability to make fingerprint impressions on the 422  
standard impression sheets prescribed by the superintendent. The 423  
office, department, or entity may charge the person a reasonable 424  
fee for making the impressions. The standard impression sheets the 425  
superintendent prescribes pursuant to this division may be in a 426  
tangible format, in an electronic format, or in both tangible and 427  
electronic formats. 428

(3) Subject to division (D) of this section, the 429  
superintendent shall prescribe and charge a reasonable fee for 430

providing a criminal records check under this section. The person 431  
requesting the criminal records check shall pay the fee prescribed 432  
pursuant to this division. In the case of a request under section 433  
1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 1761.26, 2151.33, 434  
2151.412, or 5164.34 of the Revised Code, the fee shall be paid in 435  
the manner specified in that section. 436

(4) The superintendent of the bureau of criminal 437  
identification and investigation may prescribe methods of 438  
forwarding fingerprint impressions and information necessary to 439  
conduct a criminal records check, which methods shall include, but 440  
not be limited to, an electronic method. 441

(D) The results of a criminal records check conducted under 442  
this section, other than a criminal records check specified in 443  
division (A)(7) of this section, are valid for the person who is 444  
the subject of the criminal records check for a period of one year 445  
from the date upon which the superintendent completes the criminal 446  
records check. If during that period the superintendent receives 447  
another request for a criminal records check to be conducted under 448  
this section for that person, the superintendent shall provide the 449  
results from the previous criminal records check of the person at 450  
a lower fee than the fee prescribed for the initial criminal 451  
records check. 452

(E) When the superintendent receives a request for 453  
information from a registered private provider, the superintendent 454  
shall proceed as if the request was received from a school 455  
district board of education under section 3319.39 of the Revised 456  
Code. The superintendent shall apply division (A)(1)(c) of this 457  
section to any such request for an applicant who is a teacher. 458

(F)(1) All information regarding the results of a criminal 459  
records check conducted under this section that the superintendent 460  
reports or sends under division (A)(7) or (9) of this section to 461  
the director of public safety, the treasurer of state, or the 462

person, board, or entity that made the request for the criminal 463  
records check shall relate to the conviction of the subject 464  
person, or the subject person's plea of guilty to, a criminal 465  
offense. 466

(2) Division (F)(1) of this section does not limit, restrict, 467  
or preclude the superintendent's release of information that 468  
relates to the arrest of a person who is eighteen years of age or 469  
older, to an adjudication of a child as a delinquent child, or to 470  
a criminal conviction of a person under eighteen years of age in 471  
circumstances in which a release of that nature is authorized 472  
under division (E)(2), (3), or (4) of section 109.57 of the 473  
Revised Code pursuant to a rule adopted under division (E)(1) of 474  
that section. 475

(G) As used in this section: 476

(1) "Criminal records check" means any criminal records check 477  
conducted by the superintendent of the bureau of criminal 478  
identification and investigation in accordance with division (B) 479  
of this section. 480

(2) "Minor drug possession offense" has the same meaning as 481  
in section 2925.01 of the Revised Code. 482

(3) "OVI or OVUAC violation" means a violation of section 483  
4511.19 of the Revised Code or a violation of an existing or 484  
former law of this state, any other state, or the United States 485  
that is substantially equivalent to section 4511.19 of the Revised 486  
Code. 487

(4) "Registered private provider" means a nonpublic school or 488  
entity registered with the superintendent of public instruction 489  
under section 3310.41 of the Revised Code to participate in the 490  
autism scholarship program or section 3310.58 of the Revised Code 491  
to participate in the Jon Peterson special needs scholarship 492  
program. 493

**Sec. 124.386.** (A) Each full-time permanent employee paid in accordance with section 124.152 of the Revised Code and those full-time permanent employees listed in divisions (B)(2) and (4) of section 124.14 of the Revised Code shall be credited with thirty-two hours of personal leave each year. Each part-time permanent employee paid in accordance with section 124.152 of the Revised Code and those part-time permanent employees listed in divisions (B)(2) and (4) of section 124.14 of the Revised Code shall receive a pro-rated personal leave credit as determined by rule of the director of administrative services. The credit shall be made to each eligible employee in the first pay the employee receives in December. Employees, upon giving reasonable notice to the responsible administrative officer of the appointing authority, may use personal leave for absence due to mandatory court appearances, legal or business matters, family emergencies, unusual family obligations, medical appointments, weddings, religious holidays not listed in section 124.19 of the Revised Code, or any other matter of a personal nature. Personal leave may not be used on a holiday when an employee is scheduled to work.

Personal leave is not available for use until it appears on the employee's earning statement and the compensation described in the earning statement is available to the employee.

There shall be a moratorium on personal leave accrual beginning with the credit employees would have received in December 2009, except as otherwise provided in divisions (H)(1) and (2) of this section. Personal leave accrual shall resume with employees receiving credit in December 2011 and there shall be no retroactive grant of credit for the period the moratorium was in effect.

(B) When personal leave is used by an employee of either house of the general assembly or an employee of a legislative

agency, it shall be deducted from the unused balance of the 525  
employee's personal leave in the manner prescribed by the 526  
employee's administrative authority. When personal leave is used 527  
by an employee described in division (A) of this section who is 528  
not an employee of either house of the general assembly or of a 529  
legislative agency, it shall be deducted from the unused balance 530  
of the employee's personal leave on the basis of absence in such 531  
increments of an hour as the director of administrative services 532  
determines. Compensation for personal leave shall be equal to the 533  
employee's base rate of pay. 534

(C) A newly appointed full-time permanent employee or a 535  
non-full-time employee who receives a full-time permanent 536  
appointment shall be credited with personal leave of thirty-two 537  
hours, less one and two-tenths hours for each pay period that has 538  
elapsed following the first paycheck the employee receives in 539  
December, until the first day of the pay period during which the 540  
appointment was effective. 541

(D) The director of administrative services shall allow 542  
employees to elect one of the following options with respect to 543  
the unused balance of personal leave: 544

(1) Carry forward the balance. The maximum credit that shall 545  
be available to an employee at any one time is forty hours. 546

(2) Convert the balance to accumulated sick leave, to be used 547  
in the manner provided by section 124.382 of the Revised Code; 548

(3) Receive a cash benefit. The cash benefit shall equal one 549  
hour of the employee's base rate of pay for every hour of unused 550  
credit that is converted. An employee serving in a temporary work 551  
level who elects to convert unused personal leave to cash shall do 552  
so at the base rate of pay of the employee's normal 553  
classification. Such cash benefit shall not be subject to 554  
contributions to any of the retirement systems, either by the 555

employee or the employer. 556

There shall be a moratorium on the payment for conversion of 557  
unused personal leave until December 2011, except as otherwise 558  
provided in divisions (H)(1) and (2) of this section. 559

(E) A full-time permanent employee who separates from state 560  
service or becomes ineligible to be credited with leave under this 561  
section shall receive a reduction of personal leave credit of one 562  
and two-tenths hours for each pay period that remains beginning 563  
with the first pay period following the date of separation or the 564  
effective date of the employee's ineligibility until the pay 565  
period preceding the next base pay period. After calculation of 566  
the reduction of an employee's personal leave credit, the employee 567  
is entitled to compensation for any remaining personal leave 568  
credit at the employee's current base rate of pay. If the 569  
reduction results in a number of hours less than zero, the cash 570  
equivalent value of such number of hours shall be deducted from 571  
any compensation that remains payable to the employee, or from the 572  
cash conversion value of any vacation or sick leave that remains 573  
credited to the employee. An employee serving in a temporary work 574  
level who is eligible to receive compensation under this section 575  
shall be compensated at the base rate of pay of the employee's 576  
normal classification. 577

(F) An employee who transfers from one public agency to 578  
another public agency in which the employee is eligible for the 579  
credit provided under this section shall be credited with the 580  
unused balance of personal leave. 581

(G) The director of administrative services shall establish 582  
procedures to uniformly administer this section. No personal leave 583  
may be granted to a state employee upon or after retirement or 584  
termination of employment. 585

(H)(1) The moratoria imposed under divisions (A) and (D)(3) 586

of this section shall apply to employees of the secretary of 587  
state, auditor of state, treasurer of state, and attorney general 588  
who are subject to this section unless the secretary of state, 589  
auditor of state, treasurer of state, or attorney general decides 590  
to exempt the office's employees from the moratoria and so 591  
notifies the director of administrative services in writing on or 592  
before November 1, 2009. 593

(2) The moratoria imposed under divisions (A) and (D)(3) of 594  
this section do not apply to employees of the supreme court, the 595  
general assembly, and the legislative service commission who are 596  
subject to this section, unless the supreme court, general 597  
assembly, or legislative service commission decides to include 598  
those employees in the moratoria and so notifies the director of 599  
administrative services in writing on or before November 1, 2009. 600  
Written notice shall be signed by the appointing authority for 601  
employees of the supreme court, general assembly, or legislative 602  
service commission as the case may be. 603

**Sec. 133.06.** (A) A school district shall not incur, without a 604  
vote of the electors, net indebtedness that exceeds an amount 605  
equal to one-tenth of one per cent of its tax valuation, except as 606  
provided in divisions (G) and (H) of this section and in division 607  
(D) of section 3313.372 of the Revised Code, or as prescribed in 608  
section 3318.052 or 3318.44 of the Revised Code, or as provided in 609  
division (J) of this section. 610

(B) Except as provided in divisions (E), (F), and (I) of this 611  
section, a school district shall not incur net indebtedness that 612  
exceeds an amount equal to nine per cent of its tax valuation. 613

(C) A school district shall not submit to a vote of the 614  
electors the question of the issuance of securities in an amount 615  
that will make the district's net indebtedness after the issuance 616  
of the securities exceed an amount equal to four per cent of its 617

tax valuation, unless the superintendent of public instruction, 618  
acting under policies adopted by the state board of education, and 619  
the tax commissioner, acting under written policies of the 620  
commissioner, consent to the submission. A request for the 621  
consents shall be made at least one hundred twenty days prior to 622  
the election at which the question is to be submitted. 623

The superintendent of public instruction shall certify to the 624  
district the superintendent's and the tax commissioner's decisions 625  
within thirty days after receipt of the request for consents. 626

If the electors do not approve the issuance of securities at 627  
the election for which the superintendent of public instruction 628  
and tax commissioner consented to the submission of the question, 629  
the school district may submit the same question to the electors 630  
on the date that the next special election may be held under 631  
section 3501.01 of the Revised Code without submitting a new 632  
request for consent. If the school district seeks to submit the 633  
same question at any other subsequent election, the district shall 634  
first submit a new request for consent in accordance with this 635  
division. 636

(D) In calculating the net indebtedness of a school district, 637  
none of the following shall be considered: 638

(1) Securities issued to acquire school buses and other 639  
equipment used in transporting pupils or issued pursuant to 640  
division (D) of section 133.10 of the Revised Code; 641

(2) Securities issued under division (F) of this section, 642  
under section 133.301 of the Revised Code, and, to the extent in 643  
excess of the limitation stated in division (B) of this section, 644  
under division (E) of this section; 645

(3) Indebtedness resulting from the dissolution of a joint 646  
vocational school district under section 3311.217 of the Revised 647  
Code, evidenced by outstanding securities of that joint vocational 648

|  |                          |
|--|--------------------------|
| school district;   | 649                      |
| (4) Loans, evidenced by any securities, received under sections 3313.483, 3317.0210, and 3317.0211 of the Revised Code;  | 650<br>651               |
| (5) Debt incurred under section 3313.374 of the Revised Code;  | 652                      |
| (6) Debt incurred pursuant to division (B)(5) of section 3313.37 of the Revised Code to acquire computers and related hardware;  | 653<br>654<br>655        |
| (7) Debt incurred under section 3318.042 of the Revised Code;  | 656                      |
| <u>(8) Debt incurred under section 5705.2112 or 5705.2113 of the Revised Code by the fiscal board of a qualifying partnership of which the school district is a participating school district.</u>                             | 657<br>658<br>659        |
| (E) A school district may become a special needs district as to certain securities as provided in division (E) of this section.  | 660<br>661               |
| (1) A board of education, by resolution, may declare its school district to be a special needs district by determining both of the following:  | 662<br>663<br>664        |
| (a) The student population is not being adequately serviced by the existing permanent improvements of the district.  | 665<br>666               |
| (b) The district cannot obtain sufficient funds by the issuance of securities within the limitation of division (B) of this section to provide additional or improved needed permanent improvements in time to meet the needs. | 667<br>668<br>669<br>670 |
| (2) The board of education shall certify a copy of that resolution to the superintendent of public instruction with a statistical report showing all of the following:   | 671<br>672<br>673        |
| (a) The history of and a projection of the growth of the tax valuation;  | 674<br>675               |
| (b) The projected needs;   | 676                      |
| (c) The estimated cost of permanent improvements proposed to   | 677                      |

meet such projected needs. 678

(3) The superintendent of public instruction shall certify 679  
the district as an approved special needs district if the 680  
superintendent finds both of the following: 681

(a) The district does not have available sufficient 682  
additional funds from state or federal sources to meet the 683  
projected needs. 684

(b) The projection of the potential average growth of tax 685  
valuation during the next five years, according to the information 686  
certified to the superintendent and any other information the 687  
superintendent obtains, indicates a likelihood of potential 688  
average growth of tax valuation of the district during the next 689  
five years of an average of not less than one and one-half per 690  
cent per year. The findings and certification of the 691  
superintendent shall be conclusive. 692

(4) An approved special needs district may incur net 693  
indebtedness by the issuance of securities in accordance with the 694  
provisions of this chapter in an amount that does not exceed an 695  
amount equal to the greater of the following: 696

(a) Twelve per cent of the sum of its tax valuation plus an 697  
amount that is the product of multiplying that tax valuation by 698  
the percentage by which the tax valuation has increased over the 699  
tax valuation on the first day of the sixtieth month preceding the 700  
month in which its board determines to submit to the electors the 701  
question of issuing the proposed securities; 702

(b) Twelve per cent of the sum of its tax valuation plus an 703  
amount that is the product of multiplying that tax valuation by 704  
the percentage, determined by the superintendent of public 705  
instruction, by which that tax valuation is projected to increase 706  
during the next ten years. 707

(F) A school district may issue securities for emergency 708

purposes, in a principal amount that does not exceed an amount 709  
equal to three per cent of its tax valuation, as provided in this 710  
division. 711

(1) A board of education, by resolution, may declare an 712  
emergency if it determines both of the following: 713

(a) School buildings or other necessary school facilities in 714  
the district have been wholly or partially destroyed, or condemned 715  
by a constituted public authority, or that such buildings or 716  
facilities are partially constructed, or so constructed or planned 717  
as to require additions and improvements to them before the 718  
buildings or facilities are usable for their intended purpose, or 719  
that corrections to permanent improvements are necessary to remove 720  
or prevent health or safety hazards. 721

(b) Existing fiscal and net indebtedness limitations make 722  
adequate replacement, additions, or improvements impossible. 723

(2) Upon the declaration of an emergency, the board of 724  
education may, by resolution, submit to the electors of the 725  
district pursuant to section 133.18 of the Revised Code the 726  
question of issuing securities for the purpose of paying the cost, 727  
in excess of any insurance or condemnation proceeds received by 728  
the district, of permanent improvements to respond to the 729  
emergency need. 730

(3) The procedures for the election shall be as provided in 731  
section 133.18 of the Revised Code, except that: 732

(a) The form of the ballot shall describe the emergency 733  
existing, refer to this division as the authority under which the 734  
emergency is declared, and state that the amount of the proposed 735  
securities exceeds the limitations prescribed by division (B) of 736  
this section; 737

(b) The resolution required by division (B) of section 133.18 738  
of the Revised Code shall be certified to the county auditor and 739

the board of elections at least one hundred days prior to the 740  
election; 741

(c) The county auditor shall advise and, not later than 742  
ninety-five days before the election, confirm that advice by 743  
certification to, the board of education of the information 744  
required by division (C) of section 133.18 of the Revised Code; 745

(d) The board of education shall then certify its resolution 746  
and the information required by division (D) of section 133.18 of 747  
the Revised Code to the board of elections not less than ninety 748  
days prior to the election. 749

(4) Notwithstanding division (B) of section 133.21 of the 750  
Revised Code, the first principal payment of securities issued 751  
under this division may be set at any date not later than sixty 752  
months after the earliest possible principal payment otherwise 753  
provided for in that division. 754

(G)(1) The board of education may contract with an architect, 755  
professional engineer, or other person experienced in the design 756  
and implementation of energy conservation measures for an analysis 757  
and recommendations pertaining to installations, modifications of 758  
installations, or remodeling that would significantly reduce 759  
energy consumption in buildings owned by the district. The report 760  
shall include estimates of all costs of such installations, 761  
modifications, or remodeling, including costs of design, 762  
engineering, installation, maintenance, repairs, measurement and 763  
verification of energy savings, and debt service, forgone residual 764  
value of materials or equipment replaced by the energy 765  
conservation measure, as defined by the Ohio school facilities 766  
commission, a baseline analysis of actual energy consumption data 767  
for the preceding three years with the utility baseline based on 768  
only the actual energy consumption data for the preceding twelve 769  
months, and estimates of the amounts by which energy consumption 770  
and resultant operational and maintenance costs, as defined by the 771

commission, would be reduced. 772

If the board finds after receiving the report that the amount 773  
of money the district would spend on such installations, 774  
modifications, or remodeling is not likely to exceed the amount of 775  
money it would save in energy and resultant operational and 776  
maintenance costs over the ensuing fifteen years, the board may 777  
submit to the commission a copy of its findings and a request for 778  
approval to incur indebtedness to finance the making or 779  
modification of installations or the remodeling of buildings for 780  
the purpose of significantly reducing energy consumption. 781

The school facilities commission, in consultation with the 782  
auditor of state, may deny a request under this division by the 783  
board of education of any school district that is in a state of 784  
fiscal watch pursuant to division (A) of section 3316.03 of the 785  
Revised Code, if it determines that the expenditure of funds is 786  
not in the best interest of the school district. 787

No district board of education of a school district that is 788  
in a state of fiscal emergency pursuant to division (B) of section 789  
3316.03 of the Revised Code shall submit a request without 790  
submitting evidence that the installations, modifications, or 791  
remodeling have been approved by the district's financial planning 792  
and supervision commission established under section 3316.05 of 793  
the Revised Code. 794

No board of education of a school district that, for three or 795  
more consecutive years, has been declared to be in a state of 796  
academic emergency under section 3302.03 of the Revised Code, as 797  
that section existed prior to March 22, 2013, and has failed to 798  
meet adequate yearly progress, or has met any condition set forth 799  
in division (A) of section 3302.10 of the Revised Code shall 800  
submit a request without first receiving approval to incur 801  
indebtedness from the district's academic distress commission 802  
established under that section, for so long as such commission 803

continues to be required for the district. 804

(2) The school facilities commission shall approve the 805  
board's request provided that the following conditions are 806  
satisfied: 807

(a) The commission determines that the board's findings are 808  
reasonable. 809

(b) The request for approval is complete. 810

(c) The installations, modifications, or remodeling are 811  
consistent with any project to construct or acquire classroom 812  
facilities, or to reconstruct or make additions to existing 813  
classroom facilities under sections 3318.01 to 3318.20 or sections 814  
3318.40 to 3318.45 of the Revised Code. 815

Upon receipt of the commission's approval, the district may 816  
issue securities without a vote of the electors in a principal 817  
amount not to exceed nine-tenths of one per cent of its tax 818  
valuation for the purpose of making such installations, 819  
modifications, or remodeling, but the total net indebtedness of 820  
the district without a vote of the electors incurred under this 821  
and all other sections of the Revised Code, except section 822  
3318.052 of the Revised Code, shall not exceed one per cent of the 823  
district's tax valuation. 824

(3) So long as any securities issued under this division 825  
remain outstanding, the board of education shall monitor the 826  
energy consumption and resultant operational and maintenance costs 827  
of buildings in which installations or modifications have been 828  
made or remodeling has been done pursuant to this division. Except 829  
as provided in division (G)(4) of this section, the board shall 830  
maintain and annually update a report in a form and manner 831  
prescribed by the school facilities commission documenting the 832  
reductions in energy consumption and resultant operational and 833  
maintenance cost savings attributable to such installations, 834

modifications, or remodeling. The resultant operational and 835  
maintenance cost savings shall be certified by the school district 836  
treasurer. The report shall be submitted annually to the 837  
commission. 838

(4) If the school facilities commission verifies that the 839  
certified annual reports submitted to the commission by a board of 840  
education under division (G)(3) of this section fulfill the 841  
guarantee required under division (B) of section 3313.372 of the 842  
Revised Code for three consecutive years, the board of education 843  
shall no longer be subject to the annual reporting requirements of 844  
division (G)(3) of this section. 845

(H) With the consent of the superintendent of public 846  
instruction, a school district may incur without a vote of the 847  
electors net indebtedness that exceeds the amounts stated in 848  
divisions (A) and (G) of this section for the purpose of paying 849  
costs of permanent improvements, if and to the extent that both of 850  
the following conditions are satisfied: 851

(1) The fiscal officer of the school district estimates that 852  
receipts of the school district from payments made under or 853  
pursuant to agreements entered into pursuant to section 725.02, 854  
1728.10, 3735.671, 5709.081, 5709.082, 5709.40, 5709.41, 5709.62, 855  
5709.63, 5709.632, 5709.73, 5709.78, or 5709.82 of the Revised 856  
Code, or distributions under division (C) of section 5709.43 of 857  
the Revised Code, or any combination thereof, are, after 858  
accounting for any appropriate coverage requirements, sufficient 859  
in time and amount, and are committed by the proceedings, to pay 860  
the debt charges on the securities issued to evidence that 861  
indebtedness and payable from those receipts, and the taxing 862  
authority of the district confirms the fiscal officer's estimate, 863  
which confirmation is approved by the superintendent of public 864  
instruction; 865

(2) The fiscal officer of the school district certifies, and 866

the taxing authority of the district confirms, that the district, 867  
at the time of the certification and confirmation, reasonably 868  
expects to have sufficient revenue available for the purpose of 869  
operating such permanent improvements for their intended purpose 870  
upon acquisition or completion thereof, and the superintendent of 871  
public instruction approves the taxing authority's confirmation. 872

The maximum maturity of securities issued under division (H) 873  
of this section shall be the lesser of twenty years or the maximum 874  
maturity calculated under section 133.20 of the Revised Code. 875

(I) A school district may incur net indebtedness by the 876  
issuance of securities in accordance with the provisions of this 877  
chapter in excess of the limit specified in division (B) or (C) of 878  
this section when necessary to raise the school district portion 879  
of the basic project cost and any additional funds necessary to 880  
participate in a project under Chapter 3318. of the Revised Code, 881  
including the cost of items designated by the school facilities 882  
commission as required locally funded initiatives, the cost of 883  
other locally funded initiatives in an amount that does not exceed 884  
fifty per cent of the district's portion of the basic project 885  
cost, and the cost for site acquisition. The commission shall 886  
notify the superintendent of public instruction whenever a school 887  
district will exceed either limit pursuant to this division. 888

(J) A school district whose portion of the basic project cost 889  
of its classroom facilities project under sections 3318.01 to 890  
3318.20 of the Revised Code is greater than or equal to one 891  
hundred million dollars may incur without a vote of the electors 892  
net indebtedness in an amount up to two per cent of its tax 893  
valuation through the issuance of general obligation securities in 894  
order to generate all or part of the amount of its portion of the 895  
basic project cost if the controlling board has approved the 896  
school facilities commission's conditional approval of the project 897  
under section 3318.04 of the Revised Code. The school district 898

board and the Ohio school facilities commission shall include the 899  
dedication of the proceeds of such securities in the agreement 900  
entered into under section 3318.08 of the Revised Code. No state 901  
moneys shall be released for a project to which this section 902  
applies until the proceeds of any bonds issued under this section 903  
that are dedicated for the payment of the school district portion 904  
of the project are first deposited into the school district's 905  
project construction fund. 906

**Sec. 135.182.** (A) As used in this section: 907

(1) "Public depository" means that term as defined in section 908  
135.01 of the Revised Code, but also means an institution that 909  
receives or holds any public deposits as defined in section 135.31 910  
of the Revised Code. 911

(2) "Public depositor" means that term as defined in section 912  
135.01 of the Revised Code, but also includes a county and any 913  
municipal corporation that has adopted a charter under Article 914  
XVIII, Ohio Constitution. 915

(3) "Public deposits," "public moneys," and "treasurer" mean 916  
those terms as defined in section 135.01 of the Revised Code, but 917  
also have the same meanings as are set forth in section 135.31 of 918  
the Revised Code. 919

(B)(1) Not later than July 1, 2017, the treasurer of state 920  
shall create the Ohio pooled collateral program. Under this 921  
program, each institution designated as a public depository that 922  
selects the pledging method prescribed in division (A)(2) of 923  
section 135.18 or division (A)(2) of section 135.37 of the Revised 924  
Code shall pledge to the treasurer of state a single pool of 925  
eligible securities for the benefit of all public depositors at 926  
the public depository to secure the repayment of all uninsured 927  
public deposits at the public depository, provided that at all 928  
times the total market value of the securities so pledged is at 929

least equal to ~~one~~ either of the following: 930

(a) One hundred two per cent of the total amount of all 931  
uninsured public deposits; 932

(b) An amount determined by rules adopted by the treasurer of 933  
state that set forth the criteria for determining the aggregate 934  
market value of the pool of eligible securities pledged by a 935  
public depository pursuant to division (B) of this section. Such 936  
criteria shall include, but are not limited to, prudent capital 937  
and liquidity management by the public depository and the safety 938  
and soundness of the public depository as determined by a 939  
third-party rating organization. The 940

(2) The treasurer of state shall monitor the eligibility, 941  
market value, and face value of the pooled securities pledged by 942  
the public depository. Each public depository shall carry in its 943  
accounting records at all times a general ledger or other 944  
appropriate account of the total amount of all public deposits to 945  
be secured by the pool, as determined at the opening of business 946  
each day, and the total market value of securities pledged to 947  
secure such deposits, and report such information to the treasurer 948  
of state in a manner and frequency as determined by the treasurer 949  
of state pursuant to rules adopted by the treasurer of state. A 950  
public depositor shall be responsible for periodically confirming 951  
the accuracy of its account balances with the treasurer of state; 952  
otherwise, the treasurer of state shall be the sole public 953  
depositor responsible for monitoring and ensuring the sufficiency 954  
of securities pledged under this section. 955

(C) The public depository shall designate a qualified trustee 956  
approved by the treasurer of state and place with such trustee for 957  
safekeeping the eligible securities pledged pursuant to division 958  
(B) of this section. The trustee shall hold the eligible 959  
securities in an account indicating the treasurer of state's 960  
security interest in the eligible securities. The treasurer of 961

state shall give written notice of the trustee to all public 962  
depositors for which such securities are pledged. The trustee 963  
shall report to the treasurer of state information relating to the 964  
securities pledged to secure such public deposits in a manner and 965  
frequency as determined by the treasurer of state. 966

(D) In order for a public depository to receive public moneys 967  
under this section, the public depository and the treasurer of 968  
state shall first execute an agreement that sets forth the entire 969  
arrangement among the parties and that meets the requirements 970  
described in 12 U.S.C. 1823(e). In addition, the agreement shall 971  
authorize the treasurer of state to obtain control of the 972  
collateral pursuant to division (D) of section 1308.24 of the 973  
Revised Code. 974

(E) The securities or other obligations described in division 975  
(D) of section 135.18 of the Revised Code shall be eligible as 976  
collateral for the purposes of division (B) of this section, 977  
provided no such securities or obligations pledged as collateral 978  
are at any time in default as to either principal or interest. 979

(F) Any federal reserve bank or branch thereof located in 980  
this state or federal home loan bank, without compliance with 981  
Chapter 1111. of the Revised Code and without becoming subject to 982  
any other law of this state relative to the exercise by 983  
corporations of trust powers generally, is qualified to act as 984  
trustee for the safekeeping of securities, under this section. Any 985  
institution mentioned in section 135.03 or 135.32 of the Revised 986  
Code that holds a certificate of qualification issued by the 987  
superintendent of financial institutions or any institution 988  
complying with sections 1111.04, 1111.05, and 1111.06 of the 989  
Revised Code is qualified to act as trustee for the safekeeping of 990  
securities under this section, other than those belonging to 991  
itself or to an affiliate as defined in section 1101.01 of the 992  
Revised Code. 993

(G) The public depository may substitute, exchange, or 994  
release eligible securities deposited with the qualified trustee 995  
pursuant to this section, provided that such substitution, 996  
exchange, or release is effectuated pursuant to written 997  
authorization from the treasurer of state, and such action does 998  
not reduce the total market value of the securities to an amount 999  
that is less than the amount established pursuant to division (B) 1000  
of this section. 1001

(H) Notwithstanding the fact that a public depository is 1002  
required to pledge eligible securities in certain amounts to 1003  
secure public deposits, a qualified trustee has no duty or 1004  
obligation to determine the eligibility, market value, or face 1005  
value of any securities deposited with the trustee by a public 1006  
depository. This applies in all situations including, but not 1007  
limited to, a substitution or exchange of securities, but 1008  
excluding those situations effectuated by division (I) of this 1009  
section in which the trustee is required to determine face and 1010  
market value. 1011

(I) The qualified trustee shall enter into a custodial 1012  
agreement with the treasurer of state and public depository in 1013  
which the trustee agrees to comply with entitlement orders 1014  
originated by the treasurer of state without further consent by 1015  
the public depository or, in the case of collateral held by the 1016  
public depository in an account at a federal reserve bank, the 1017  
treasurer of state shall have the treasurer's security interest 1018  
marked on the books of the federal reserve bank where the account 1019  
for the collateral is maintained. If the public depository fails 1020  
to pay over any part of the public deposits made therein as 1021  
provided by law and secured pursuant to division (B) of this 1022  
section, the treasurer of state shall give written notice of this 1023  
failure to the qualified trustee holding the pool of securities 1024  
pledged against the public deposits, and at the same time shall 1025

send a copy of this notice to the public depository. Upon receipt 1026  
of this notice, the trustee shall transfer to the treasurer of 1027  
state for sale, the pooled securities that are necessary to 1028  
produce an amount equal to the public deposits made by the public 1029  
depositor and not paid over, less the portion of the deposits 1030  
covered by any federal deposit insurance, plus any accrued 1031  
interest due on the deposits. The treasurer of state shall sell 1032  
any of the bonds or other securities so transferred. When a sale 1033  
of bonds or other securities has been so made and upon payment to 1034  
the public depositor of the purchase money, the treasurer of state 1035  
shall transfer such bonds or securities whereupon the absolute 1036  
ownership of such bonds or securities shall pass to the 1037  
purchasers. Any surplus after deducting the amount due to the 1038  
public depositor and expenses of sale shall be paid to the public 1039  
depository. 1040

(J) Any charges or compensation of a qualified trustee for 1041  
acting as such under this section shall be paid by the public 1042  
depository and in no event shall be chargeable to the public 1043  
depositor or to any officer of the public depositor. The charges 1044  
or compensation shall not be a lien or charge upon the securities 1045  
deposited for safekeeping prior or superior to the rights to and 1046  
interests in the securities of the public depositor. The treasurer 1047  
and the treasurer's bonders or surety shall be relieved from any 1048  
liability to the public depositor or to the public depository for 1049  
the loss or destruction of any securities deposited with a 1050  
qualified trustee pursuant to this section. 1051

**Sec. 164.20.** (A) Notwithstanding section 164.01 of the 1052  
Revised Code, as used in sections 164.20 to 164.27 of the Revised 1053  
Code, "local political subdivision" means a county, municipal 1054  
corporation, township, conservancy district, soil and water 1055  
conservation district, lake facilities authority, joint recreation 1056  
district, park district, or other similar park authority. 1057

(B) As used in sections 164.20 to 164.27 of the Revised Code, 1058  
"nonprofit organization" means an organization that is exempt from 1059  
federal income taxation pursuant to 26 U.S.C. 501(a) and described 1060  
in 26 U.S.C. 501(c) and that has as one of its designated 1061  
activities, as indicated on United States internal revenue service 1062  
form 1023 "recognition of exemption," an activity that is directly 1063  
related to the purposes for which grants may be issued under 1064  
sections 164.20 to 164.27 of the Revised Code as described in 1065  
divisions (A) and (B) of section 164.22 of the Revised Code. 1066

(C) For the purposes of sections 164.20 to 164.27 of the 1067  
Revised Code, the definition of "project" in section 164.01 of the 1068  
Revised Code does not apply. 1069

**Sec. 189.10.** The local government innovation council shall 1070  
cease to exist on December 31, ~~2015~~ 2019. 1071

**Sec. 353.03.** A lake facilities authority may do all of the 1072  
following: 1073

(A) Acquire by purchase, lease, gift, or otherwise, on such 1074  
terms and in such manner as it considers proper, real and personal 1075  
property necessary for an authorized purpose or any estate, 1076  
interest, or right therein, within or without the impacted lake 1077  
district; 1078

(B) Improve, remediate, maintain, sell, lease, or otherwise 1079  
dispose of real and personal property on such terms and in such 1080  
manner as it considers proper; 1081

(C) Request that the department of natural resources, the 1082  
environmental protection agency, or the department of agriculture 1083  
adopt, modify, and enforce reasonable rules and regulations 1084  
governing impacted watersheds; 1085

(D) Employ such managers, administrative officers, agents, 1086  
engineers, architects, attorneys, contractors, subcontractors, and 1087

employees as may be appropriate in the exercise of the rights, 1088  
powers, and duties conferred on it, prescribe the duties and 1089  
compensation for such persons, require bonds to be given by any 1090  
such persons and by officers of the authority for the faithful 1091  
performance of their duties, and fix the amount and surety 1092  
therefor, and pay the surety; 1093

(E) Sue and be sued in its corporate name; 1094

(F)(1) Make and enter into all contracts and agreements and 1095  
execute all instruments relating to the provisions of this 1096  
chapter; 1097

(2) Except as provided otherwise under divisions (F)(2) and 1098  
(3) of this section, when the cost of a contract for the 1099  
construction of any building, structure, or other improvement 1100  
undertaken by a lake facilities authority involves an expenditure 1101  
exceeding ~~twenty-five~~ fifty thousand dollars, and the lake 1102  
facilities authority is the contracting authority, the lake 1103  
facilities authority shall make a written contract after notice 1104  
calling for bids for the award of the contract has been given by 1105  
publication twice, with at least seven days between publications, 1106  
in a newspaper of general circulation in the impacted lake 1107  
district. Each such contract shall be awarded to the lowest 1108  
responsive and responsible bidder in accordance with section 9.312 1109  
of the Revised Code. The board of directors by rule may provide 1110  
criteria for the negotiation and award without competitive bidding 1111  
of any contract as to which the lake facilities authority is the 1112  
contracting authority for the construction of any building or 1113  
structure or other improvement under any of the following 1114  
circumstances: 1115

(a) There exists a real and present emergency that threatens 1116  
damage to property or injury to persons of the lake facilities 1117  
authority or other persons, provided that a statement specifying 1118  
the nature of the emergency that is the basis for the negotiation 1119

and award of a contract without competitive bidding shall be 1120  
signed at the time of the contract's execution by the officer of 1121  
the lake facilities authority that executes the contract and shall 1122  
be attached to the contract. 1123

(b) A commonly recognized industry or other standard or 1124  
specification does not exist and cannot objectively be articulated 1125  
for the improvement. 1126

(c) The contract is for any energy conservation measure as 1127  
defined in section 307.041 of the Revised Code. 1128

(d) With respect to material to be incorporated into the 1129  
improvement, only a single source or supplier exists for the 1130  
material. 1131

(e) A single bid is received by the lake facilities authority 1132  
after complying with the above provisions. 1133

(3) In addition to the exceptions to competitive bidding 1134  
requirements under division (F)(2) of this section, a lake 1135  
facilities authority may contract for the acquisition or 1136  
construction of any property for an authorized purpose and for the 1137  
leasing, subleasing, sale, or other disposition of the property in 1138  
a manner determined by the lake facilities authority in its sole 1139  
discretion, without necessity for competitive bidding or 1140  
performance bonds. 1141

(4) With respect to any public improvement undertaken by, or 1142  
under contract for, the lake facilities authority, the authority 1143  
may elect to apply sections 4115.03 to 4115.21 of the Revised 1144  
Code. 1145

(G) Accept aid or contributions from any source of money, 1146  
property, labor, or other things of value, to be held, used, and 1147  
applied only for the purposes for which the grants and 1148  
contributions are made; 1149

(H) Apply for and accept grants, loans, or commitments of 1150  
guarantee or insurance, including any guarantees of lake 1151  
facilities authority bonds and notes, from the United States, the 1152  
state, or other public body or other sources, and provide any 1153  
consideration which may be required in order to obtain such 1154  
grants, loans, or contracts of guarantee or insurance; 1155

(I) Procure insurance against loss to the lake facilities 1156  
authority by reason of damage to its properties resulting from 1157  
fire, theft, accident, or other casualties, or by reason of its 1158  
liability for any damages to persons or property occurring in the 1159  
construction or operation of facilities or areas under its 1160  
jurisdiction or the conduct of its activities; 1161

(J) Maintain such funds or reserves as it considers necessary 1162  
for the efficient performance of its duties; 1163

(K) Enforce any covenants, of which the lake facilities 1164  
authority is the beneficiary, running with the land. 1165

(L) Issue securities for the remediation of an impacted 1166  
watershed and directly related permanent improvements in 1167  
compliance with Chapter 133. of the Revised Code, except that such 1168  
bonds or notes may be issued only pursuant to a vote of the 1169  
electors residing within the impacted lake district. The net 1170  
indebtedness incurred by a lake facilities authority pursuant to 1171  
this division may not exceed one-tenth of one per cent of the 1172  
total value of all property within the territory comprising the 1173  
impacted lake district as listed and assessed for taxation. 1174

(M) Issue lake facilities authority revenue bonds beyond the 1175  
limit of bonded indebtedness provided by law, payable solely from 1176  
revenues as provided in section 353.09 of the Revised Code for the 1177  
purpose of providing funds to pay costs of any facility or 1178  
facilities or parts thereof; 1179

(N) Advise and provide input to political subdivisions within 1180

the impacted lake district with respect to zoning and land use 1181  
planning within the impacted lake district; 1182

(O) Enter into agreements for the management, ownership, 1183  
possession, or control of lands or property to be used for wetland 1184  
mitigation banking; 1185

(P) Adopt and modify rules and regulations to carry out the 1186  
authority granted to the lake facilities authority under this 1187  
section. 1188

**Sec. 1121.10.** (A) As often as the superintendent of financial 1189  
institutions considers necessary, but at least once each 1190  
twenty-four-month cycle, the superintendent, or any deputy or 1191  
examiner appointed by the superintendent for that purpose, shall 1192  
thoroughly examine the records and affairs of each bank. The 1193  
examination shall include a review of both of the following: 1194

(1) Compliance with law; 1195

(2) Other matters the superintendent determines. 1196

(B) The superintendent may examine the records and affairs of 1197  
any of the following as the superintendent considers necessary: 1198

(1) Any party to a proposed reorganization for which the 1199  
superintendent's approval is required by section 1115.11 or 1200  
1115.14 of the Revised Code; 1201

(2) Any bank, savings and loan association, or savings bank 1202  
proposing to convert to a bank doing business under authority 1203  
granted by the superintendent for which the superintendent's 1204  
approval is required by section 1115.01 of the Revised Code; 1205

(3) Any person proposing to acquire control of a bank for 1206  
which the superintendent's approval is required by section 1115.06 1207  
of the Revised Code, or who acquired control of a bank without the 1208  
approval of the superintendent when that approval was required by 1209  
section 1115.06 of the Revised Code, was the bank of which control 1210

is to be, or was, acquired; 1211

(4) Any bank proposing to establish or acquire a branch for 1212  
which the superintendent's approval is required by section 1117.02 1213  
of the Revised Code; 1214

(5) Any foreign bank that maintains, or proposes to 1215  
establish, one or more offices in this state; 1216

(6) Any trust company. 1217

(C) The board of directors or holders of a majority of the 1218  
shares of a bank or trust company may request the superintendent 1219  
conduct a special examination of the records and affairs of the 1220  
bank or trust company. The superintendent has sole discretion over 1221  
the scope and timing of a special examination, and may impose 1222  
restrictions and limitations on the use of the results of a 1223  
special examination in addition to the restrictions and 1224  
limitations otherwise imposed by law. ~~The fee for a special 1225  
examination shall be paid by the bank or trust company examined in 1226  
accordance with section 1121.29 of the Revised Code.~~ 1227

(D) The superintendent may conduct all aspects of an 1228  
examination concurrently or may divide the examination into 1229  
constituent parts and conduct them at various times. 1230

(E) The superintendent shall preserve the report of each 1231  
examination, including related correspondence received and copies 1232  
of related correspondence sent, for twenty years after the 1233  
examination date. 1234

**Sec. 1121.24.** (A) ~~If, under Chapters 1101. to 1127. of the 1235  
Revised Code, a proposed action or transaction is subject to the 1236  
approval of the superintendent of financial institutions or an 1237  
opportunity for the superintendent to disapprove, and if the 1238  
person proposing the action or transaction is required to submit 1239  
an application or notice to the superintendent, then the 1240~~

~~application or notice is not complete and the superintendent shall 1241  
not accept it for processing until the person pays the fee 1242  
established pursuant to division (C) of section 1121.29 of the 1243  
Revised Code. 1244~~

~~(B)(1) If, under Chapters 1101. to 1127. of the Revised Code, 1245  
a proposed action or transaction is subject to the approval of the 1246  
superintendent or an opportunity for the superintendent to 1247  
disapprove and the superintendent must make that determination 1248  
within a certain time, and if the person proposing the action or 1249  
transaction is required to submit an application or notice to the 1250  
superintendent, then the time in which the superintendent must 1251  
make the determination does not begin to run until the 1252  
superintendent has determined the application or notice is 1253  
complete and has accepted it for processing. 1254~~

~~(2) Division ~~(B)~~(A)(1) of this section does not prohibit 1255  
either of the following: 1256~~

~~(a) The superintendent from denying, or issuing a disapproval 1257  
of, an application or notice, prior to the superintendent's 1258  
acceptance of the application or notice for processing, on the 1259  
basis that the person who submitted the application or notice 1260  
failed to include all of the items and address all of the issues 1261  
required for the application or notice, if both of the following 1262  
apply: 1263~~

~~(i) The superintendent advised the person that the 1264  
application or notice was incomplete. 1265~~

~~(ii) After being advised by the superintendent that the 1266  
application or notice was incomplete, the person did not, within a 1267  
reasonable period of time, complete the application or notice. 1268~~

~~(b) The superintendent from denying, or issuing a disapproval 1269  
of, an application or notice on the basis that the person who 1270  
submitted the application or notice failed to provide the 1271~~

information necessary for the superintendent to adequately 1272  
consider the application or notice after the superintendent's 1273  
acceptance of the application or notice for processing, if both of 1274  
the following apply: 1275

(i) After having begun processing the application or notice, 1276  
the superintendent determined and advised the person that 1277  
additional information was necessary to adequately consider the 1278  
application or notice. 1279

(ii) After being advised by the superintendent that 1280  
additional information was necessary to adequately consider the 1281  
application or notice, the person did not, within a reasonable 1282  
period of time, provide that information. 1283

~~(C)~~(B) A determination by the superintendent that an 1284  
application or notice is complete and is accepted for processing 1285  
means only that the application or notice, on its face, appears to 1286  
include all of the items and to address all of the matters that 1287  
are required. A determination by the superintendent that an 1288  
application or notice is complete and is accepted for processing 1289  
is not an assessment of the substance of the application or 1290  
notice, or of the sufficiency of the information provided. 1291

**Sec. 1123.03.** The banking commission shall do all of the 1292  
following: 1293

(A) Make recommendations to the deputy superintendent for 1294  
banks and the superintendent of financial institutions on the 1295  
business of banking; 1296

(B) Consider and make recommendations on any matter the 1297  
superintendent or deputy superintendent submits to the commission 1298  
for that purpose; 1299

(C) Pass upon and determine any matter the superintendent or 1300  
deputy superintendent submits to the commission for determination; 1301

|   |      |
|---|------|
| <del>(D) Consider and determine whether to confirm the annual</del>         | 1302 |
| <del>schedule of assessments proposed by the superintendent in</del>        | 1303 |
| <del>accordance with section 1121.29 of the Revised Code;</del>             | 1304 |
| <del>(E) Determine whether to increase the schedule of assessments</del>    | 1305 |
| <del>as provided in division (A)(3) of section 1121.29 of the Revised</del> | 1306 |
| <del>Code;</del>  | 1307 |
| <del>(F) Determine, as provided in division (D) of section 1121.12</del>    | 1308 |
| <del>of the Revised Code, both of the following:</del>                      | 1309 |
| (1) Whether there is reasonable cause to believe that there                 | 1310 |
| is a significant risk of imminent material harm to the bank;                | 1311 |
| (2) Whether the examination of the bank holding company is                  | 1312 |
| necessary to fully determine the risk to the bank, or to determine          | 1313 |
| how best to address the risk to the bank.                                   | 1314 |
| <br>  |      |
| <b>Sec. 1181.17.</b> The savings and loan associations and savings          | 1315 |
| banks board shall do all of the following:                                  | 1316 |
| (A) Make recommendations to the superintendent of financial                 | 1317 |
| institutions and the deputy superintendent for savings and loan             | 1318 |
| associations and savings banks on matters relating to the business          | 1319 |
| of savings and loan associations and savings banks;                         | 1320 |
| (B) Consider and make recommendations upon any matter                       | 1321 |
| addressed in Chapters 1151., 1153., 1155., 1157., 1161., 1163.,             | 1322 |
| and 1165. of the Revised Code that the superintendent or deputy             | 1323 |
| superintendent submits to the board for that purpose;                       | 1324 |
| (C) Pass upon and determine any matter the superintendent or                | 1325 |
| deputy superintendent submits to the board for determination;               | 1326 |
| (D) Submit to the governor proposed amendments to the savings               | 1327 |
| and loan associations or savings banks laws of this state;                  | 1328 |
| <del>(E) Consider and determine whether to confirm the annual</del>         | 1329 |
| <del>schedule of assessments proposed by the superintendent of</del>        | 1330 |

~~financial institutions in accordance with division (A) of sections 1331  
1155.13 and 1163.16 of the Revised Code. 1332~~

**Sec. 3307.01.** As used in this chapter: 1333

(A) "Employer" means the board of education, school district, 1334  
governing authority of any community school established under 1335  
Chapter 3314. of the Revised Code, a science, technology, 1336  
engineering, and mathematics school established under Chapter 1337  
3326. of the Revised Code, college, university, institution, or 1338  
other agency within the state by which a teacher is employed and 1339  
paid. 1340

(B)(1) "Teacher" means all of the following: 1341

(a) Any person paid from public funds and employed in the 1342  
public schools of the state under any type of contract described 1343  
in section 3311.77 or 3319.08 of the Revised Code in a position 1344  
for which the person is required to have a license issued pursuant 1345  
to sections 3319.22 to 3319.31 of the Revised Code; 1346

(b) Except as provided in division (B)(2)(b) or (c) of this 1347  
section, any person employed as a teacher or faculty member in a 1348  
community school or a science, technology, engineering, and 1349  
mathematics school pursuant to Chapter 3314. or 3326. of the 1350  
Revised Code; 1351

(c) Any person having a license issued pursuant to sections 1352  
3319.22 to 3319.31 of the Revised Code and employed in a public 1353  
school in this state in an educational position, as determined by 1354  
the state board of education, under programs provided for by 1355  
federal acts or regulations and financed in whole or in part from 1356  
federal funds, but for which no licensure requirements for the 1357  
position can be made under the provisions of such federal acts or 1358  
regulations; 1359

(d) Any other teacher or faculty member employed in any 1360

school, college, university, institution, or other agency wholly 1361  
controlled and managed, and supported in whole or in part, by the 1362  
state or any political subdivision thereof, including Central 1363  
state university, Cleveland state university, and the university 1364  
of Toledo; 1365

(e) The educational employees of the department of education, 1366  
as determined by the state superintendent of public instruction. 1367

In all cases of doubt, the state teachers retirement board 1368  
shall determine whether any person is a teacher, and its decision 1369  
shall be final. 1370

(2) "Teacher" does not include any of the following: 1371

(a) Any eligible employee of a public institution of higher 1372  
education, as defined in section 3305.01 of the Revised Code, who 1373  
elects to participate in an alternative retirement plan 1374  
established under Chapter 3305. of the Revised Code; 1375

(b) Any person employed by a community school operator, as 1376  
defined in section 3314.02 of the Revised Code, ~~for whom~~ if on or 1377  
before February 1, 2016, the school's operator ~~withholds~~ was 1378  
withholding and ~~pays~~ paying employee and employer taxes pursuant 1379  
to 26 U.S.C. 3101(a) and 3111(a) for persons employed in the 1380  
school as teachers, unless the person had contributing service in 1381  
a community school in the state within one year prior to the later 1382  
of ~~July~~ February 1, 2016, or the date on which the operator for 1383  
the first time withholds and pays employee and employer taxes 1384  
pursuant to 26 U.S.C. 3101(a) and 3111(a) for that person; 1385

(c) Any person who would otherwise be a teacher under 1386  
division (B)(2)(b) of this section who terminates employment with 1387  
a community school operator and has no contributing service in a 1388  
community school in the state for a period of at least one year 1389  
from the date of termination of employment. 1390

(C) "Member" means any person included in the membership of 1391

the state teachers retirement system, which shall consist of all 1392  
teachers and contributors as defined in divisions (B) and (D) of 1393  
this section and all disability benefit recipients, as defined in 1394  
section 3307.50 of the Revised Code. However, for purposes of this 1395  
chapter, the following persons shall not be considered members: 1396

(1) A student, intern, or resident who is not a member while 1397  
employed part-time by a school, college, or university at which 1398  
the student, intern, or resident is regularly attending classes; 1399

(2) A person denied membership pursuant to section 3307.24 of 1400  
the Revised Code; 1401

(3) An other system retirant, as defined in section 3307.35 1402  
of the Revised Code, or a superannuate; 1403

(4) An individual employed in a program established pursuant 1404  
to the "Job Training Partnership Act," 96 Stat. 1322 (1982), 29 1405  
U.S.C.A. 1501; 1406

(5) The surviving spouse of a member or retirant if the 1407  
surviving spouse's only connection to the retirement system is an 1408  
account in an STRS defined contribution plan. 1409

(D) "Contributor" means any person who has an account in the 1410  
teachers' savings fund or defined contribution fund, except that 1411  
"contributor" does not mean a member or retirant's surviving 1412  
spouse with an account in an STRS defined contribution plan. 1413

(E) "Beneficiary" means any person eligible to receive, or in 1414  
receipt of, a retirement allowance or other benefit provided by 1415  
this chapter. 1416

(F) "Year" means the year beginning the first day of July and 1417  
ending with the thirtieth day of June next following, except that 1418  
for the purpose of determining final average salary under the plan 1419  
described in sections 3307.50 to 3307.79 of the Revised Code, 1420  
"year" may mean the contract year. 1421

|  |                                      |
|--|--------------------------------------|
| (G) "Local district pension system" means any school teachers pension fund created in any school district of the state in accordance with the laws of the state prior to September 1, 1920.  | 1422<br>1423<br>1424                 |
| (H) "Employer contribution" means the amount paid by an employer, as determined by the employer rate, including the normal and deficiency rates, contributions, and funds wherever used in this chapter.   | 1425<br>1426<br>1427<br>1428         |
| (I) "Five years of service credit" means employment covered under this chapter and employment covered under a former retirement plan operated, recognized, or endorsed by a college, institute, university, or political subdivision of this state prior to coverage under this chapter. | 1429<br>1430<br>1431<br>1432<br>1433 |
| (J) "Actuary" means an actuarial professional contracted with or employed by the state teachers retirement board, who shall be either of the following:  | 1434<br>1435<br>1436                 |
| (1) A member of the American academy of actuaries;   | 1437                                 |
| (2) A firm, partnership, or corporation of which at least one person is a member of the American academy of actuaries.   | 1438<br>1439                         |
| (K) "Fiduciary" means a person who does any of the following:  | 1440                                 |
| (1) Exercises any discretionary authority or control with respect to the management of the system, or with respect to the management or disposition of its assets;   | 1441<br>1442<br>1443                 |
| (2) Renders investment advice for a fee, direct or indirect, with respect to money or property of the system;  | 1444<br>1445                         |
| (3) Has any discretionary authority or responsibility in the administration of the system.   | 1446<br>1447                         |
| (L)(1) Except as provided in this division, "compensation" means all salary, wages, and other earnings paid to a teacher by reason of the teacher's employment, including compensation paid pursuant to a supplemental contract. The salary, wages, and other                            | 1448<br>1449<br>1450<br>1451         |

earnings shall be determined prior to determination of the amount 1452  
required to be contributed to the teachers' savings fund or 1453  
defined contribution fund under section 3307.26 of the Revised 1454  
Code and without regard to whether any of the salary, wages, or 1455  
other earnings are treated as deferred income for federal income 1456  
tax purposes. 1457

(2) Compensation does not include any of the following: 1458

(a) Payments for accrued but unused sick leave or personal 1459  
leave, including payments made under a plan established pursuant 1460  
to section 124.39 of the Revised Code or any other plan 1461  
established by the employer; 1462

(b) Payments made for accrued but unused vacation leave, 1463  
including payments made pursuant to section 124.13 of the Revised 1464  
Code or a plan established by the employer; 1465

(c) Payments made for vacation pay covering concurrent 1466  
periods for which other salary, compensation, or benefits under 1467  
this chapter or Chapter 145. or 3309. of the Revised Code are 1468  
paid; 1469

(d) Amounts paid by the employer to provide life insurance, 1470  
sickness, accident, endowment, health, medical, hospital, dental, 1471  
or surgical coverage, or other insurance for the teacher or the 1472  
teacher's family, or amounts paid by the employer to the teacher 1473  
in lieu of providing the insurance; 1474

(e) Incidental benefits, including lodging, food, laundry, 1475  
parking, or services furnished by the employer, use of the 1476  
employer's property or equipment, and reimbursement for 1477  
job-related expenses authorized by the employer, including moving 1478  
and travel expenses and expenses related to professional 1479  
development; 1480

(f) Payments made by the employer in exchange for a member's 1481  
waiver of a right to receive any payment, amount, or benefit 1482

|   |  |
|---|--|
| described in division (L)(2) of this section;   | 1483   |
| (g) Payments by the employer for services not actually rendered;  | 1484<br>1485                                 |
| (h) Any amount paid by the employer as a retroactive increase in salary, wages, or other earnings, unless the increase is one of the following:   | 1486<br>1487<br>1488                         |
| (i) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for teaching and not designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses; | 1489<br>1490<br>1491<br>1492<br>1493<br>1494 |
| (ii) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses;                                | 1495<br>1496<br>1497<br>1498<br>1499<br>1500 |
| (iii) A retroactive increase paid to a member employed by a school district board of education as a superintendent that is also paid as described in division (L)(2)(h)(i) of this section;   | 1501<br>1502<br>1503                         |
| (iv) A retroactive increase paid to a member employed by an employer other than a school district board of education in accordance with uniform criteria applicable to all members employed by the employer.  | 1504<br>1505<br>1506<br>1507                 |
| (i) Payments made to or on behalf of a teacher that are in excess of the annual compensation that may be taken into account by the retirement system under division (a)(17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401(a)(17), as amended. For a teacher who first establishes membership before July 1, 1996, the annual compensation that may     | 1508<br>1509<br>1510<br>1511<br>1512<br>1513 |

be taken into account by the retirement system shall be determined 1514  
under division (d)(3) of section 13212 of the "Omnibus Budget 1515  
Reconciliation Act of 1993," Pub. L. No. 103-66, 107 Stat. 472. 1516

(j) Payments made under division (B), (C), or (E) of section 1517  
5923.05 of the Revised Code, Section 4 of Substitute Senate Bill 1518  
No. 3 of the 119th general assembly, Section 3 of Amended 1519  
Substitute Senate Bill No. 164 of the 124th general assembly, or 1520  
Amended Substitute House Bill No. 405 of the 124th general 1521  
assembly; 1522

(k) Anything of value received by the teacher that is based 1523  
on or attributable to retirement or an agreement to retire; 1524

(l) Any amount paid by the employer as a retroactive payment 1525  
of earnings, damages, or back pay pursuant to a court order, 1526  
court-adopted settlement agreement, or other settlement agreement, 1527  
unless the retirement system receives both of the following: 1528

(i) Teacher and employer contributions under sections 3307.26 1529  
and 3307.28 of the Revised Code, plus interest compounded annually 1530  
at a rate determined by the board, for each year or portion of a 1531  
year for which amounts are paid under the order or agreement; 1532

(ii) Teacher and employer contributions under sections 1533  
3307.26 and 3307.28 of the Revised Code, plus interest compounded 1534  
annually at a rate determined by the board, for each year or 1535  
portion of a year not subject to division (L)(2)(1)(i) of this 1536  
section for which the board determines the teacher was improperly 1537  
paid, regardless of the teacher's ability to recover on such 1538  
amounts improperly paid. 1539

(3) The retirement board shall determine both of the 1540  
following: 1541

(a) Whether particular forms of earnings are included in any 1542  
of the categories enumerated in this division; 1543

(b) Whether any form of earnings not enumerated in this 1544  
division is to be included in compensation. 1545

Decisions of the board made under this division shall be 1546  
final. 1547

(M) "Superannuate" means both of the following: 1548

(1) A former teacher receiving from the system a retirement 1549  
allowance under section 3307.58 or 3307.59 of the Revised Code; 1550

(2) A former teacher receiving a benefit from the system 1551  
under a plan established under section 3307.81 of the Revised 1552  
Code, except that "superannuate" does not include a former teacher 1553  
who is receiving a benefit based on disability under a plan 1554  
established under section 3307.81 of the Revised Code. 1555

For purposes of sections 3307.35 and 3307.353 of the Revised 1556  
Code, "superannuate" also means a former teacher receiving from 1557  
the system a combined service retirement benefit paid in 1558  
accordance with section 3307.57 of the Revised Code, regardless of 1559  
which retirement system is paying the benefit. 1560

(N) "STRS defined benefit plan" means the plan described in 1561  
sections 3307.50 to 3307.79 of the Revised Code. 1562

(O) "STRS defined contribution plan" means the plans 1563  
established under section 3307.81 of the Revised Code and includes 1564  
the STRS combined plan under that section. 1565

(P) "Faculty" means the teaching staff of a university, 1566  
college, or school, including any academic administrators. 1567

**Sec. 3309.013.** (A) As used in this section, "operator" has 1568  
the same meaning as in section 3314.02 of the Revised Code. 1569

(B) "Employee," as defined in division (B) of section 3309.01 1570  
of the Revised Code, does not include either of the following: 1571

(1) Any person initially employed on or after July 1, 2016, 1572

by a community school operator and for whom the operator withholds 1573  
and pays employee and employer taxes pursuant to 26 U.S.C. 3101(a) 1574  
and 3111(a) beginning with the first paycheck after commencing 1575  
initial employment; 1576

(2) Except as provided in division (C) of this section, any 1577  
person who is a former employee of a community school operator who 1578  
is reemployed on or after July 1, 2016, by that operator and for 1579  
whom the operator withholds and pays employee and employer taxes 1580  
pursuant to 26 U.S.C. 3101(a) and 3111(a) beginning with the first 1581  
paycheck after commencing reemployment with that operator. 1582

(C) Division (B)(2) of this section does not apply to either 1583  
of the following: 1584

(1) Any person who was employed by the same operator at any 1585  
time within the period of July 1, 2015, to June 30, 2016, and 1586  
whose date of reemployment is before July 1, 2017; 1587

(2) Any person to whom both of the following apply: 1588

(a) The person was employed by the same operator at any time 1589  
in the twelve-month period preceding the date the operator for the 1590  
first time withholds and pays employee and employer taxes pursuant 1591  
to 26 U.S.C. 3101(a) and 3111(a) on behalf of its employees and 1592  
had previously only contributed to the school employees retirement 1593  
system; 1594

(b) The person's date of reemployment is not more than twelve 1595  
months after the date the operator for the first time withholds 1596  
and pays employee and employer taxes pursuant to 26 U.S.C. 3101(a) 1597  
and 3111(a). 1598

(D) This section applies only to a community school operator 1599  
that was withholding and paying employee and employer taxes 1600  
pursuant to 26 U.S.C. 3101(a) and 3111(a) on or before February 1, 1601  
2016, for persons employed in the school. 1602

Sec. 3313.976. (A) No private school may receive scholarship 1603  
payments from parents pursuant to section 3313.979 of the Revised 1604  
Code until the chief administrator of the private school registers 1605  
the school with the superintendent of public instruction. The 1606  
state superintendent shall register any school that meets the 1607  
following requirements: 1608

(1) The school either: 1609

(a) Offers any of grades kindergarten through twelve and is 1610  
located within the boundaries of the pilot project school 1611  
district; 1612

(b) Offers any of grades nine through twelve and is located 1613  
within the boundaries of a city, local, or exempted village school 1614  
district that is both: 1615

(i) Located in a municipal corporation with a population of 1616  
~~fifty~~ fifteen thousand or more; 1617

(ii) Located within five miles of the border of the pilot 1618  
project school district. 1619

(2) The school indicates in writing its commitment to follow 1620  
all requirements for a state-sponsored scholarship program 1621  
specified under sections 3313.974 to 3313.979 of the Revised Code, 1622  
including, but not limited to, the requirements for admitting 1623  
students pursuant to section 3313.977 of the Revised Code; 1624

(3) The school meets all state minimum standards for 1625  
chartered nonpublic schools in effect on July 1, 1992, except that 1626  
the state superintendent at the superintendent's discretion may 1627  
register nonchartered nonpublic schools meeting the other 1628  
requirements of this division; 1629

(4) The school does not discriminate on the basis of race, 1630  
religion, or ethnic background; 1631

(5) The school enrolls a minimum of ten students per class or 1632

a sum of at least twenty-five students in all the classes offered; 1633

(6) The school does not advocate or foster unlawful behavior 1634  
or teach hatred of any person or group on the basis of race, 1635  
ethnicity, national origin, or religion; 1636

(7) The school does not provide false or misleading 1637  
information about the school to parents, students, or the general 1638  
public; 1639

(8) For students in grades kindergarten through eight with 1640  
family incomes at or below two hundred per cent of the federal 1641  
poverty guidelines, as defined in section 5104.46 of the Revised 1642  
Code, the school agrees not to charge any tuition in excess of the 1643  
scholarship amount established pursuant to division (C)(1) of 1644  
section 3313.978 of the Revised Code, excluding any increase 1645  
described in division (C)(2) of that section. 1646

(9) For students in grades kindergarten through eight with 1647  
family incomes above two hundred per cent of the federal poverty 1648  
guidelines, whose scholarship amounts are less than the actual 1649  
tuition charge of the school, the school agrees not to charge any 1650  
tuition in excess of the difference between the actual tuition 1651  
charge of the school and the scholarship amount established 1652  
pursuant to division (C)(1) of section 3313.978 of the Revised 1653  
Code, excluding any increase described in division (C)(2) of that 1654  
section. The school shall permit such tuition, at the discretion 1655  
of the parent, to be satisfied by the family's provision of 1656  
in-kind contributions or services. 1657

(10) The school agrees not to charge any tuition to families 1658  
of students in grades nine through twelve receiving a scholarship 1659  
in excess of the actual tuition charge of the school less the 1660  
scholarship amount established pursuant to division (C)(1) of 1661  
section 3313.978 of the Revised Code, excluding any increase 1662  
described in division (C)(2) of that section. 1663

(11) Except as provided in division (K)(1)(b)(ii) of section 1664  
3301.0711 of the Revised Code, if the school is not subject to 1665  
division (K)(1)(a) of section 3301.0711 of the Revised Code, it 1666  
annually administers the applicable assessments prescribed by 1667  
section 3301.0710 or 3301.0712 of the Revised Code to each 1668  
scholarship student enrolled in the school in accordance with 1669  
section 3301.0711 or 3301.0712 of the Revised Code and reports to 1670  
the department of education the results of each such assessment 1671  
administered to each scholarship student. 1672

(B) The state superintendent shall revoke the registration of 1673  
any school if, after a hearing, the superintendent determines that 1674  
the school is in violation of any of the provisions of division 1675  
(A) of this section. 1676

(C) Any public school located in a school district adjacent 1677  
to the pilot project district may receive scholarship payments on 1678  
behalf of parents pursuant to section 3313.979 of the Revised Code 1679  
if the superintendent of the district in which such public school 1680  
is located notifies the state superintendent prior to the first 1681  
day of March that the district intends to admit students from the 1682  
pilot project district for the ensuing school year pursuant to 1683  
section 3327.06 of the Revised Code. 1684

(D) Any parent wishing to purchase tutorial assistance from 1685  
any person or governmental entity pursuant to the pilot project 1686  
program under sections 3313.974 to 3313.979 of the Revised Code 1687  
shall apply to the state superintendent. The state superintendent 1688  
shall approve providers who appear to possess the capability of 1689  
furnishing the instructional services they are offering to 1690  
provide. 1691

**Sec. 3314.085.** (A) For purposes of this section: 1692

(1) "Formula amount" has the same meaning as in section 1693  
3317.02 of the Revised Code. 1694

(2) "Four-year adjusted cohort graduation rate" has the same meaning as in section 3302.01 of the Revised Code. 1695  
1696

(3) A community school's "third-grade reading proficiency percentage" means the ~~following quotient:~~ 1697  
1698

~~The number percentage~~ of the school's students scoring at a proficient level of skill or higher on the third-grade English language arts assessment prescribed under division (A)(1)(a) of section 3301.0710 of the Revised Code for the immediately preceding school year ~~/ the total number of the school's students required to take that assessment for the immediately preceding school year, as reported on the school's report card under section 3302.03 of the Revised Code.~~ 1699  
1700  
1701  
1702  
1703  
1704  
1705  
1706

(B) In addition to the payments made under section 3314.08 of the Revised Code, the department of education shall annually pay to each community school both of the following: 1707  
1708  
1709

(1) A graduation bonus calculated according to the following formula: 1710  
1711

The school's four-year adjusted cohort graduation rate on its most recent report card issued by the department under section 3302.03 or 3314.017 of the Revised Code X 0.075 X the formula amount X the number of the school's graduates reported to the department, in accordance with the guidelines adopted under section 3301.0714 of the Revised Code, for the same school year for which the most recent report card was issued 1712  
1713  
1714  
1715  
1716  
1717  
1718

(2) A third-grade reading bonus calculated according to the following formula: 1719  
1720

The school's third-grade reading proficiency percentage X 0.075 X the formula amount X the number of the school's students scoring at a proficient level or higher on the third-grade English language arts assessment prescribed under division (A)(1)(a) of section 3301.0710 of the Revised Code for the immediately 1721  
1722  
1723  
1724  
1725

preceding school year 1726

**Sec. 3317.0216.** (A) For purposes of this section, a city, 1727  
local, or exempted village school district's "third-grade reading 1728  
proficiency percentage" means the ~~following quotient:~~ 1729

~~The number percentage~~ of the district's students scoring at a 1730  
proficient level of skill or higher on the third-grade English 1731  
language arts assessment prescribed under division (A)(1)(a) of 1732  
section 3301.0710 of the Revised Code for the immediately 1733  
preceding school year ~~/ the total number of the district's~~ 1734  
~~students required to take that assessment for the immediately~~ 1735  
~~preceding school year, as reported on the district's report card~~ 1736  
under section 3302.03 of the Revised Code. 1737

(B) The department of education shall annually calculate a 1738  
third-grade reading bonus for each city, local, and exempted 1739  
village school district according to the following formula: 1740

The district's third-grade reading proficiency percentage X 0.075 1741  
X the formula amount X the number of the district's students 1742  
scoring at a proficient level of skill or higher on the 1743  
third-grade English language arts assessment prescribed under 1744  
division (A)(1)(a) of section 3301.0710 of the Revised Code for 1745  
the immediately preceding school year X the district's state share 1746  
index 1747

**Sec. 3318.71.** (A) As used in this section: 1748

(1) "Acquisition of classroom facilities" has the same 1749  
meaning as in section 3318.40 of the Revised Code. 1750

(2) "Classroom facilities" has the same meaning as in section 1751  
3318.01 of the Revised Code. 1752

(3) "Qualifying partnership" means a group of city, exempted 1753  
village, or local school districts that are part of a 1754  
career-technical education compact and have entered into an 1755

agreement for joint or cooperative establishment and operation of 1756  
a science, technology, engineering, and mathematics education 1757  
program under section 3313.842 of the Revised Code. The aggregate 1758  
territory of the school districts composing a qualifying 1759  
partnership shall be located in two adjacent counties, each having 1760  
a population greater than forty thousand, but less than fifty 1761  
thousand, and at least one of which borders another state. 1762

(B) The Ohio school facilities commission shall establish 1763  
guidelines for assisting a qualifying partnership in the 1764  
acquisition of classroom facilities to be used for a joint 1765  
science, technology, engineering, and mathematics education 1766  
program. 1767

(C) Upon receipt of a written proposal from a qualifying 1768  
partnership, the commission, subject to approval of the 1769  
controlling board, shall provide funding to assist that qualifying 1770  
partnership in the acquisition of classroom facilities described 1771  
in division (B) of this section. The proposal of the qualifying 1772  
partnership shall be submitted in a form and in the manner 1773  
prescribed by the commission. The proposal shall indicate both the 1774  
total amount of funding requested from the commission and the 1775  
amount of other funding pledged for the acquisition of the 1776  
classroom facilities, the latter of which shall not be less than 1777  
the total amount of funding requested from the commission. Once 1778  
the commission determines a proposal meets its established 1779  
guidelines, and if the controlling board approves that funding, 1780  
the commission shall enter into an agreement with the qualifying 1781  
partnership for the acquisition of the classroom facilities and 1782  
shall encumber, in accordance with section 3318.11 of the Revised 1783  
Code, the approved funding from the amounts appropriated to the 1784  
commission for classroom facilities assistance projects. The 1785  
agreement shall include a stipulation of the ownership of the 1786  
classroom facilities in the event the qualifying partnership 1787

ceases to exist. 1788

(D) A qualifying partnership may levy taxes and issue bonds 1789  
under section 5705.2112 or 5705.2113 of the Revised Code to use 1790  
for all or part of the funding pledged for the acquisition of 1791  
classroom facilities under division (C) of this section. If a 1792  
qualifying partnership chooses to levy taxes or issue bonds for 1793  
this purpose, it shall select one of the districts that is a 1794  
member of the qualifying partnership to be the fiscal agent of the 1795  
qualifying partnership for purposes of ~~section 5705.2112 of the~~ 1796  
~~Revised Code~~ those sections. 1797

**Sec. 3319.271.** (A) As used in this section, the "bright new 1798  
leaders for Ohio schools program" means the program created and 1799  
implemented by the nonprofit corporation incorporated pursuant to 1800  
Section 733.40 of Am. Sub. H.B. 59 of the 130th general assembly 1801  
to provide an alternative path for individuals to receive training 1802  
and development in the administration of primary and secondary 1803  
education and leadership, enable those individuals to earn degrees 1804  
and obtain licenses in public school administration, and promote 1805  
the placement of those individuals in public schools that have a 1806  
poverty percentage greater than fifty per cent. 1807

(B) The state board of education shall issue an alternative 1808  
principal license or an ~~alternative~~ administrator license, as 1809  
applicable, to an individual who successfully completes the bright 1810  
new leaders for Ohio schools program and satisfies the 1811  
requirements in rules adopted by the state board under division 1812  
(C) of this section. 1813

(C) The state board, in consultation with the board of 1814  
directors of the bright new leaders for Ohio schools program, 1815  
shall adopt rules that prescribe the requirements for obtaining an 1816  
alternative principal license or an ~~alternative~~ administrator 1817  
license under this section. The state board shall use the rules 1818

adopted under section 3319.27 of the Revised Code as guidance in 1819  
developing the rules adopted under this division. 1820

Sec. 3333.93. (A) As used in this section: 1821

(1) "Eligible student" means a student who is enrolled in a 1822  
public or private institution and is pursuing a qualifying degree, 1823  
certification, or license. 1824

(2) "In-demand job" means a job that is determined to be in 1825  
demand in this state and its regions under section 6301.11 of the 1826  
Revised Code. 1827

(3) "Public or private institution" means any of the 1828  
following: 1829

(a) A state institution of higher education, as defined in 1830  
section 3345.011 of the Revised Code; 1831

(b) A private, nonprofit institution in this state holding a 1832  
certificate of authorization pursuant to Chapter 1713. of the 1833  
Revised Code; 1834

(c) An Ohio technical center that provides adult technical 1835  
education services as recognized by the chancellor of higher 1836  
education. 1837

(4) "Qualifying degree, certification, or license" means a 1838  
degree, certification, or license that is required to qualify an 1839  
individual for an in-demand job. 1840

(B) The workforce grant program is hereby established. Under 1841  
the program, the chancellor of higher education shall award grants 1842  
to eligible students. 1843

(C)(1) A grant shall be awarded to an eligible student for 1844  
the period of time the student takes to complete a qualifying 1845  
degree, certification, or license. On an annual basis, the maximum 1846  
amount of a grant that may be awarded to an eligible student shall 1847

be five thousand dollars. The grant shall not exceed seventy-five 1848  
per cent of the cost of tuition during an academic year in which 1849  
the student is receiving the grant. The greatest portion of the 1850  
grant shall be distributed to the student as the student is 1851  
completing the academic program and seeking an in-demand job. 1852

(2) No public or private institution shall use grant moneys 1853  
dispersed under the program to underwrite a tuition increase 1854  
imposed on students attending the institution. 1855

(D) The chancellor shall adopt rules regarding the operations 1856  
of the grant program, including all of the following: 1857

(1) Application procedures; 1858

(2) The method for selecting grant recipients that shall 1859  
include both of the following: 1860

(a) An assessment of an applicant's need for financial aid, 1861  
including sources of income and other financial aid the applicant 1862  
has been awarded; 1863

(b) An analysis of whether the degree, certification, or 1864  
license that is being pursued by an applicant is a qualifying 1865  
degree, certification, or license. 1866

(3) Milestones that must be attained by a grant recipient in 1867  
order to continue to receive a grant under this section, including 1868  
spending thirty to ninety days in a workplace where the degree, 1869  
certification, or license that is being pursued by the grant 1870  
recipient is required for employment or participating in a 1871  
cooperative or internship program in a workplace where the degree, 1872  
certification, or license that is being pursued by the grant 1873  
recipient is required for employment; 1874

(4) Other requirements that must be completed by a grant 1875  
recipient, including both of the following: 1876

(a) The completion of curriculum that includes skills needed 1877

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| <u>by employers;</u>   | 1878   |
| <u>(b) The completion of counseling regarding the proper management of student loans and how to minimize the amount of student loan debt.</u>  | 1879<br>1880<br>1881   |
| <u>(5) The method for determining the distribution of a grant to a grant recipient, including both of the following:</u>   | 1882<br>1883   |
| <u>(a) The amount of each disbursement;</u>  | 1884   |
| <u>(b) The schedule for making disbursements to a grant recipient.</u>   | 1885<br>1886   |
| <u>(6) Establishing a procedure for a public or private institution to take disciplinary action against a student who fails to continue in an academic program leading to a qualifying degree, certification, or license after receiving a grant, including determining appropriate reimbursements.</u>  | 1887<br>1888<br>1889<br>1890<br>1891   |
| <u>(E) The department of higher education, in consultation with the department of education, shall establish a procedure for training and outreach for school counselors to allow them to distribute information to high school students in this state regarding the jobs that are determined to be in-demand jobs and the educational requirements for employment in those jobs.</u>  | 1892<br>1893<br>1894<br>1895<br>1896<br>1897   |
| <u>(F) The department of higher education shall solicit proposals to coordinate and conduct the statewide promotion of the workforce grant program through a request for proposals. The department shall advertise its intent to request proposals in a newspaper of general circulation in the state once a week for two consecutive weeks before a date specified by the board as the date on which it will begin accepting proposals. The notices shall contain a general description of the subject of the proposed agreement and the location where the request for proposals may be obtained. The request for proposals shall include the following information:</u> | 1898<br>1899<br>1900<br>1901<br>1902<br>1903<br>1904<br>1905<br>1906<br>1907<br>1908 |

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| <u>(1) Instructions concerning the submission of proposals;</u>   | 1909   |
| <u>(2) Information regarding communications, including how to contact persons to whom questions concerning a proposal may be directed;</u>  | 1910<br>1911<br>1912                                 |
| <u>(3) A description of the performance criteria that will be used to evaluate a proposal;</u>  | 1913<br>1914   |
| <u>(4) The relative importance of each evaluation criterion;</u>  | 1915   |
| <u>(5) Any terms or conditions of the proposed contract.</u>  | 1916   |
| <u>After the date specified for receiving proposals, the department shall evaluate submitted proposals. The department may discuss a respondent's proposal with that respondent to clarify or revise a proposal or the terms of the agreement. After reviewing the proposals, the department may enter into a written agreement with one of the respondents to administer the statewide promotion of the program.</u> | 1917<br>1918<br>1919<br>1920<br>1921<br>1922<br>1923 |
| <u>(G) The chancellor, in consultation with the governor's office of workforce transformation and the departments of job and family services and taxation, shall do all of the following:</u>   | 1924<br>1925<br>1926                                 |
| <u>(1) Develop a methodology for collecting all of the following information:</u>   | 1927<br>1928   |
| <u>(a) The total number of grants awarded to eligible students;</u>   | 1929   |
| <u>(b) The total grant amount awarded to each grant recipient;</u>  | 1930   |
| <u>(c) The job field and occupation a grant recipient holds twelve months following the completion of a program;</u>  | 1931<br>1932   |
| <u>(d) The income level of each grant recipient.</u>  | 1933   |
| <u>(2) Perform a cost-benefit analysis comparing the costs of the program against the earnings generated by grant recipients based on the information collected in division (G)(1) of this section.</u>   | 1934<br>1935<br>1936<br>1937                         |

(3) Submit a report to the governor and the general assembly 1938  
describing the results of the analysis required under division (G) 1939  
of this section not later than December 31, 2018. 1940

**Sec. 3335.361.** ~~Any~~ If any policy or guideline established by 1941  
OSU extension ~~that~~ requires volunteers for 4-H programs to be 1942  
fingerprinted ~~shall do both of the following:~~ 1943

~~(A) Require only individuals who become volunteers for those~~ 1944  
~~programs on or after the effective date of this section to be~~ 1945  
~~fingerprinted:~~ 1946

~~(B) Require those individuals to be fingerprinted only one~~ 1947  
~~time.~~ 1948

~~OSU extension shall modify any policy or guideline regarding~~ 1949  
~~fingerprinting of volunteers for 4-H programs that has been~~ 1950  
~~established prior to the effective date of this section to comply~~ 1951  
~~with this section for purposes of a criminal records check~~ 1952  
~~conducted by the bureau of criminal identification and~~ 1953  
~~investigation, or a vendor approved by the bureau, OSU extension~~ 1954  
~~shall pay any fee required under division (C)(3) of section~~ 1955  
~~109.572 of the Revised Code.~~ 1956

**Sec. 3702.59.** (A) The director of health shall accept for 1957  
review certificate of need applications as provided in sections 1958  
3702.592, 3702.593, and 3702.594 of the Revised Code. 1959

(B)(1) The director shall not approve an application for a 1960  
certificate of need for the addition of long-term care beds to an 1961  
existing long-term care facility or for the development of a new 1962  
long-term care facility if any of the following apply: 1963

(a) The existing long-term care facility in which the beds 1964  
are being placed has one or more waivers for life safety code 1965  
deficiencies, one or more state fire code violations, or one or 1966  
more state building code violations, and the project identified in 1967

the application does not propose to correct all life safety code 1968  
deficiencies for which a waiver has been granted, all state fire 1969  
code violations, and all state building code violations at the 1970  
existing long-term care facility in which the beds are being 1971  
placed; 1972

(b) During the sixty-month period preceding the filing of the 1973  
application, a notice of proposed license revocation was issued 1974  
under section 3721.03 of the Revised Code for the existing 1975  
long-term care facility in which the beds are being placed or a 1976  
nursing home owned or operated by the applicant or a principal 1977  
participant, unless in the case of such a nursing home the notice 1978  
was issued solely because the nursing home had already closed or 1979  
ceased operations. 1980

(c) During the period that precedes the filing of the 1981  
application and is encompassed by the three most recent standard 1982  
surveys of the existing long-term care facility in which the beds 1983  
are being placed, any of the following occurred: 1984

(i) The facility was cited on three or more separate 1985  
occasions for final, nonappealable actual harm but not immediate 1986  
jeopardy deficiencies. 1987

(ii) The facility was cited on two or more separate occasions 1988  
for final, nonappealable immediate jeopardy deficiencies. 1989

(iii) The facility was cited on two separate occasions for 1990  
final, nonappealable actual harm but not immediate jeopardy 1991  
deficiencies and on one occasion for a final, nonappealable 1992  
immediate jeopardy deficiency. 1993

(d) More than two nursing homes owned or operated in this 1994  
state by the applicant or a principal participant or, if the 1995  
applicant or a principal participant owns or operates more than 1996  
twenty nursing homes in this state, more than ten per cent of 1997  
those nursing homes, were each cited during the period that 1998

precedes the filing of the application for the certificate of need 1999  
and is encompassed by the three most recent standard surveys of 2000  
the nursing homes that were so cited in any of the following 2001  
manners: 2002

(i) On three or more separate occasions for final, 2003  
nonappealable actual harm but not immediate jeopardy deficiencies; 2004

(ii) On two or more separate occasions for final, 2005  
nonappealable immediate jeopardy deficiencies; 2006

(iii) On two separate occasions for final, nonappealable 2007  
actual harm but not immediate jeopardy deficiencies and on one 2008  
occasion for a final, nonappealable immediate jeopardy deficiency. 2009

(2) In applying divisions (B)(1)(a) to (d) of this section, 2010  
the director shall not consider deficiencies or violations cited 2011  
before the applicant or a principal participant acquired or began 2012  
to own or operate the long-term care facility at which the 2013  
deficiencies or violations were cited. The director may disregard 2014  
deficiencies and violations cited after the long-term care 2015  
facility was acquired or began to be operated by the applicant or 2016  
a principal participant if the deficiencies or violations were 2017  
attributable to circumstances that arose under the previous owner 2018  
or operator and the applicant or principal participant has 2019  
implemented measures to alleviate the circumstances. In the case 2020  
of an application proposing development of a new long-term care 2021  
facility by relocation of beds, the director shall not consider 2022  
deficiencies or violations that were solely attributable to the 2023  
physical plant of the existing long-term care facility from which 2024  
the beds are being relocated. 2025

(C) The director also shall accept for review any application 2026  
for the conversion of infirmary beds to long-term care beds if the 2027  
infirmary meets all of the following conditions: 2028

(1) Is operated exclusively by a religious order; 2029

(2) Provides care exclusively to members of religious orders 2030  
who take vows of celibacy and live by virtue of their vows within 2031  
the orders as if related; 2032

(3) Was providing care exclusively to members of such a 2033  
religious order on January 1, 1994. 2034

(D) Notwithstanding division (C)(2) of this section, a 2035  
facility that has been granted a certificate of need under 2036  
division (C) of this section may provide care to any of the 2037  
following family members of the individuals described in division 2038  
(C)(2) of this section: mothers, fathers, brothers, sisters, 2039  
brothers-in-law, sisters-in-law, or children. Such a facility may 2040  
also provide care to any individual who has been designated an 2041  
associate member by the religious order that operates the 2042  
facility. 2043

The long-term care beds in a facility that have been granted 2044  
a certificate of need under division (C) of this section may not 2045  
be relocated pursuant to sections 3702.592 to 3702.594 of the 2046  
Revised Code. 2047

**Sec. 3721.03.** (A) As used in this section, "person" has the 2048  
same meaning as in section 1.59 of the Revised Code. 2049

(B) The director of health shall enforce the provisions of 2050  
sections 3721.01 to 3721.13 and 3721.99 of the Revised Code and 2051  
may issue orders to secure compliance with the provisions of these 2052  
sections and the rules adopted under them. The director may hold 2053  
hearings, issue subpoenas, compel testimony, and make 2054  
adjudications. 2055

The director may issue an order revoking a license in the 2056  
event the director finds, upon hearing or opportunity afforded 2057  
pursuant to Chapter 119. of the Revised Code, that any of the 2058  
following apply to a person, county home, or district home 2059

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| licensed under section 3721.07 of the Revised Code:  | 2060   |
| (1) Has violated any of the provisions of Chapter 3721. of<br>the Revised Code or rules adopted by the director under it;  | 2061<br>2062   |
| (2) Has violated any order issued by the director;   | 2063   |
| (3) Is not, or any of its principals are not suitable,<br>morally or financially to operate such an institution;   | 2064<br>2065   |
| (4) Is not furnishing humane, kind, and adequate treatment<br>and care;  | 2066<br>2067   |
| (5) Has had a long-standing pattern of violations of this<br>chapter or the rules adopted under it that has caused physical,<br>emotional, mental, or psychosocial harm to one or more residents.  | 2068<br>2069<br>2070   |
| Upon the issuance of any order of revocation, the person<br>whose license is revoked, or the county home or district home that<br>has its license revoked, may appeal in accordance with Chapter<br>119. of the Revised Code.  | 2071<br>2072<br>2073<br>2074   |
| (C) Once the director notifies a person, county home, or<br>district home licensed to operate a home that the license may be<br>revoked or issues any order under this section, the person, county<br>home, or district home shall not assign or transfer to another<br>person or entity the right to operate the home, <u>unless the notice<br/>or order is issued solely because the home has already closed or<br/>ceased operations</u> . This prohibition shall remain in effect until<br>proceedings under Chapter 119. of the Revised Code concerning the<br>order or license revocation have been concluded or the director<br>notifies the person, county home, or district home that the<br>prohibition has been lifted. | 2075<br>2076<br>2077<br>2078<br>2079<br>2080<br>2081<br>2082<br>2083<br>2084<br>2085 |
| If a license is revoked under this section, the former<br>license holder shall not assign or transfer or consent to<br>assignment or transfer of the right to operate the home. Any<br>attempted assignment or transfer to another person or entity is   | 2086<br>2087<br>2088<br>2089   |

void. 2090

On revocation of a license, the former licensee shall take 2091  
all necessary steps to cease operation of the home. 2092

The director of health shall not accept a certificate of need 2093  
application under section 3702.52 of the Revised Code regarding a 2094  
home if the license to operate the home has been revoked under 2095  
this section. 2096

**Sec. 5104.01.** As used in this chapter: 2097

(A) "Administrator" means the person responsible for the 2098  
daily operation of a center, type A home, or type B home. The 2099  
administrator and the owner may be the same person. 2100

(B) "Approved child day camp" means a child day camp approved 2101  
pursuant to section 5104.22 of the Revised Code. 2102

(C) "Border state child care provider" means a child care 2103  
provider that is located in a state bordering Ohio and that is 2104  
licensed, certified, or otherwise approved by that state to 2105  
provide child care. 2106

(D) "Career pathways model" means an alternative pathway to 2107  
meeting the requirements to be a child-care staff member or 2108  
administrator that does both of the following: 2109

(1) Uses a framework approved by the director of job and 2110  
family services to document formal education, training, 2111  
experience, and specialized credentials and certifications; 2112

(2) Allows the child-care staff member or administrator to 2113  
achieve a designation as an early childhood professional level 2114  
one, two, three, four, five, or six. 2115

(E) "Caretaker parent" means the father or mother of a child 2116  
whose presence in the home is needed as the caretaker of the 2117  
child, a person who has legal custody of a child and whose 2118

presence in the home is needed as the caretaker of the child, a 2119  
guardian of a child whose presence in the home is needed as the 2120  
caretaker of the child, and any other person who stands in loco 2121  
parentis with respect to the child and whose presence in the home 2122  
is needed as the caretaker of the child. 2123

(F) "Chartered nonpublic school" means a school that meets 2124  
standards for nonpublic schools prescribed by the state board of 2125  
education for nonpublic schools pursuant to section 3301.07 of the 2126  
Revised Code. 2127

(G) "Child" includes an infant, toddler, preschool-age child, 2128  
or school-age child. 2129

(H) "Child care block grant act" means the "Child Care and 2130  
Development Block Grant Act of 1990," established in section 5082 2131  
of the "Omnibus Budget Reconciliation Act of 1990," 104 Stat. 2132  
1388-236 (1990), 42 U.S.C. 9858, as amended. 2133

(I) "Child day camp" means a program in which only school-age 2134  
children attend or participate, that operates for no more than 2135  
seven hours per day, that operates only during one or more public 2136  
school district's regular vacation periods or for no more than 2137  
fifteen weeks during the summer, and that operates outdoor 2138  
activities for each child who attends or participates in the 2139  
program for a minimum of fifty per cent of each day that children 2140  
attend or participate in the program, except for any day when 2141  
hazardous weather conditions prevent the program from operating 2142  
outdoor activities for a minimum of fifty per cent of that day. 2143  
For purposes of this division, the maximum seven hours of 2144  
operation time does not include transportation time from a child's 2145  
home to a child day camp and from a child day camp to a child's 2146  
home. 2147

(J) "Child care" means all of the following: 2148

(1) Administering to the needs of infants, toddlers, 2149

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| preschool-age children, and school-age children outside of school  | 2150 |
| hours;   | 2151 |
| (2) By persons other than their parents, guardians, or             | 2152 |
| custodians;  | 2153 |
| (3) For any part of the twenty-four-hour day;                      | 2154 |
| (4) In a place other than a child's own home, except that an       | 2155 |
| in-home aide provides child care in the child's own home.          | 2156 |
| (K) "Child day-care center" and "center" mean any place in         | 2157 |
| which child care or publicly funded child care is provided for     | 2158 |
| thirteen or more children at one time or any place that is not the | 2159 |
| permanent residence of the licensee or administrator in which      | 2160 |
| child care or publicly funded child care is provided for seven to  | 2161 |
| twelve children at one time. In counting children for the purposes | 2162 |
| of this division, any children under six years of age who are      | 2163 |
| related to a licensee, administrator, or employee and who are on   | 2164 |
| the premises of the center shall be counted. "Child day-care       | 2165 |
| center" and "center" do not include any of the following:          | 2166 |
| (1) A place located in and operated by a hospital, as defined      | 2167 |
| in section 3727.01 of the Revised Code, in which the needs of      | 2168 |
| children are administered to, if all the children whose needs are  | 2169 |
| being administered to are monitored under the on-site supervision  | 2170 |
| of a physician licensed under Chapter 4731. of the Revised Code or | 2171 |
| a registered nurse licensed under Chapter 4723. of the Revised     | 2172 |
| Code, and the services are provided only for children who, in the  | 2173 |
| opinion of the child's parent, guardian, or custodian, are         | 2174 |
| exhibiting symptoms of a communicable disease or other illness or  | 2175 |
| are injured;   | 2176 |
| (2) A child day camp;  | 2177 |
| (3) A place that provides child care, but not publicly funded      | 2178 |
| child care, if all of the following apply:                         | 2179 |

|   |                              |
|---|------------------------------|
| (a) An organized religious body provides the child care;  | 2180                         |
| (b) A parent, custodian, or guardian of at least one child receiving child care is on the premises and readily accessible at all times;   | 2181<br>2182<br>2183         |
| (c) The child care is not provided for more than thirty days a year;  | 2184<br>2185                 |
| (d) The child care is provided only for preschool-age and school-age children.  | 2186<br>2187                 |
| (L) "Child care resource and referral service organization" means a community-based nonprofit organization that provides child care resource and referral services but not child care.                                | 2188<br>2189<br>2190         |
| (M) "Child care resource and referral services" means all of the following services:  | 2191<br>2192                 |
| (1) Maintenance of a uniform data base of all child care providers in the community that are in compliance with this chapter, including current occupancy and vacancy data;   | 2193<br>2194<br>2195         |
| (2) Provision of individualized consumer education to families seeking child care;  | 2196<br>2197                 |
| (3) Provision of timely referrals of available child care providers to families seeking child care;   | 2198<br>2199                 |
| (4) Recruitment of child care providers;  | 2200                         |
| (5) Assistance in the development, conduct, and dissemination of training for child care providers and provision of technical assistance to current and potential child care providers, employers, and the community; | 2201<br>2202<br>2203<br>2204 |
| (6) Collection and analysis of data on the supply of and demand for child care in the community;  | 2205<br>2206                 |
| (7) Technical assistance concerning locally, state, and federally funded child care and early childhood education   | 2207<br>2208                 |

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| programs;  | 2209                                 |
| (8) Stimulation of employer involvement in making child care more affordable, more available, safer, and of higher quality for their employees and for the community;  | 2210<br>2211<br>2212                 |
| (9) Provision of written educational materials to caretaker parents and informational resources to child care providers;   | 2213<br>2214                         |
| (10) Coordination of services among child care resource and referral service organizations to assist in developing and maintaining a statewide system of child care resource and referral services if required by the department of job and family services;                     | 2215<br>2216<br>2217<br>2218         |
| (11) Cooperation with the county department of job and family services in encouraging the establishment of parent cooperative child care centers and parent cooperative type A family day-care homes.  | 2219<br>2220<br>2221<br>2222         |
| (N) "Child-care staff member" means an employee of a child day-care center or type A family day-care home who is primarily responsible for the care and supervision of children. The administrator may be a part-time child-care staff member when not involved in other duties. | 2223<br>2224<br>2225<br>2226<br>2227 |
| (O) "Drop-in child day-care center," "drop-in center," "drop-in type A family day-care home," and "drop-in type A home" mean a center or type A home that provides child care or publicly funded child care for children on a temporary, irregular basis.                        | 2228<br>2229<br>2230<br>2231         |
| (P) "Employee" means a person who either:  | 2232                                 |
| (1) Receives compensation for duties performed in a child day-care center or type A family day-care home;  | 2233<br>2234                         |
| (2) Is assigned specific working hours or duties in a child day-care center or type A family day-care home.  | 2235<br>2236                         |
| (Q) "Employer" means a person, firm, institution, organization, or agency that operates a child day-care center or   | 2237<br>2238                         |

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| type A family day-care home subject to licensure under this        | 2239 |
| chapter.   | 2240 |
| (R) "Federal poverty line" means the official poverty              | 2241 |
| guideline as revised annually in accordance with section 673(2) of | 2242 |
| the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42  | 2243 |
| U.S.C. 9902, as amended, for a family size equal to the size of    | 2244 |
| the family of the person whose income is being determined.         | 2245 |
| (S) "Head start program" means a comprehensive child               | 2246 |
| development program serving birth to three years old and           | 2247 |
| preschool-age children that receives funds distributed under the   | 2248 |
| "Head Start Act," 95 Stat. 499 (1981), 42 U.S.C.A. 9831, as        | 2249 |
| amended, and is licensed as a child day-care center.               | 2250 |
| (T) "Income" means gross income, as defined in section             | 2251 |
| 5107.10 of the Revised Code, less any amounts required by federal  | 2252 |
| statutes or regulations to be disregarded.                         | 2253 |
| (U) "Indicator checklist" means an inspection tool, used in        | 2254 |
| conjunction with an instrument-based program monitoring            | 2255 |
| information system, that contains selected licensing requirements  | 2256 |
| that are statistically reliable indicators or predictors of a      | 2257 |
| child day-care center's type A family day-care home's, or licensed | 2258 |
| type B family day-care home's compliance with licensing            | 2259 |
| requirements.  | 2260 |
| (V) "Infant" means a child who is less than eighteen months        | 2261 |
| of age.  | 2262 |
| (W) "In-home aide" means a person who does not reside with         | 2263 |
| the child but provides care in the child's home and is certified   | 2264 |
| by a county director of job and family services pursuant to        | 2265 |
| section 5104.12 of the Revised Code to provide publicly funded     | 2266 |
| child care to a child in a child's own home pursuant to this       | 2267 |
| chapter and any rules adopted under it.                            | 2268 |
| (X) "Instrument-based program monitoring information system"       | 2269 |

means a method to assess compliance with licensing requirements 2270  
for child day-care centers, type A family day-care homes, and 2271  
licensed type B family day-care homes in which each licensing 2272  
requirement is assigned a weight indicative of the relative 2273  
importance of the requirement to the health, growth, and safety of 2274  
the children that is used to develop an indicator checklist. 2275

(Y) "License capacity" means the maximum number in each age 2276  
category of children who may be cared for in a child day-care 2277  
center or type A family day-care home at one time as determined by 2278  
the director of job and family services considering building 2279  
occupancy limits established by the department of commerce, amount 2280  
of available indoor floor space and outdoor play space, and amount 2281  
of available play equipment, materials, and supplies. For the 2282  
purposes of a provisional license issued under this chapter, the 2283  
director shall also consider the number of available child-care 2284  
staff members when determining "license capacity" for the 2285  
provisional license. 2286

(Z) "Licensed child care program" means any of the following: 2287

(1) A child day-care center licensed by the department of job 2288  
and family services pursuant to this chapter; 2289

(2) A type A family day-care home or type B family day-care 2290  
home licensed by the department of job and family services 2291  
pursuant to this chapter; 2292

(3) A licensed preschool program or licensed school child 2293  
program. 2294

(AA) "Licensed preschool program" or "licensed school child 2295  
program" means a preschool program or school child program, as 2296  
defined in section 3301.52 of the Revised Code, that is licensed 2297  
by the department of education pursuant to sections 3301.52 to 2298  
3301.59 of the Revised Code. 2299

(BB) "Licensed type B family day-care home" and "licensed 2300

type B home" mean a type B family day-care home for which there is 2301  
a valid license issued by the director of job and family services 2302  
pursuant to section 5104.03 of the Revised Code. 2303

(CC) "Licensee" means the owner of a child day-care center, 2304  
type A family day-care home, or type B family day-care home that 2305  
is licensed pursuant to this chapter and who is responsible for 2306  
ensuring its compliance with this chapter and rules adopted 2307  
pursuant to this chapter. 2308

(DD) "Operate a child day camp" means to operate, establish, 2309  
manage, conduct, or maintain a child day camp. 2310

(EE) "Owner" includes a person, as defined in section 1.59 of 2311  
the Revised Code, or government entity, ~~firm, organization,~~ 2312  
~~institution, agency, as well as any individual governing board~~ 2313  
~~members, partners, incorporators, agents, or authorized~~ 2314  
~~representatives of the owner.~~ 2315

(FF) "Parent cooperative child day-care center," "parent 2316  
cooperative center," "parent cooperative type A family day-care 2317  
home," and "parent cooperative type A home" mean a corporation or 2318  
association organized for providing educational services to the 2319  
children of members of the corporation or association, without 2320  
gain to the corporation or association as an entity, in which the 2321  
services of the corporation or association are provided only to 2322  
children of the members of the corporation or association, 2323  
ownership and control of the corporation or association rests 2324  
solely with the members of the corporation or association, and at 2325  
least one parent-member of the corporation or association is on 2326  
the premises of the center or type A home during its hours of 2327  
operation. 2328

(GG) "Part-time child day-care center," "part-time center," 2329  
"part-time type A family day-care home," and "part-time type A 2330  
home" mean a center or type A home that provides child care or 2331

publicly funded child care for not more than four hours a day for 2332  
any child or not more than fifteen consecutive weeks per year, 2333  
regardless of the number of hours per day. 2334

(HH) "Place of worship" means a building where activities of 2335  
an organized religious group are conducted and includes the 2336  
grounds and any other buildings on the grounds used for such 2337  
activities. 2338

(II) "Preschool-age child" means a child who is three years 2339  
old or older but is not a school-age child. 2340

(JJ) "Protective child care" means publicly funded child care 2341  
for the direct care and protection of a child to whom either of 2342  
the following applies: 2343

(1) A case plan prepared and maintained for the child 2344  
pursuant to section 2151.412 of the Revised Code indicates a need 2345  
for protective care and the child resides with a parent, 2346  
stepparent, guardian, or another person who stands in loco 2347  
parentis as defined in rules adopted under section 5104.38 of the 2348  
Revised Code; 2349

(2) The child and the child's caretaker either temporarily 2350  
reside in a facility providing emergency shelter for homeless 2351  
families or are determined by the county department of job and 2352  
family services to be homeless, and are otherwise ineligible for 2353  
publicly funded child care. 2354

(KK) "Publicly funded child care" means administering to the 2355  
needs of infants, toddlers, preschool-age children, and school-age 2356  
children under age thirteen during any part of the 2357  
twenty-four-hour day by persons other than their caretaker parents 2358  
for remuneration wholly or in part with federal or state funds, 2359  
including funds available under the child care block grant act, 2360  
Title IV-A, and Title XX, distributed by the department of job and 2361  
family services. 2362

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|--|------|
| (LL) "Religious activities" means any of the following:            | 2363 |
| worship or other religious services; religious instruction; Sunday | 2364 |
| school classes or other religious classes conducted during or      | 2365 |
| prior to worship or other religious services; youth or adult       | 2366 |
| fellowship activities; choir or other musical group practices or   | 2367 |
| programs; meals; festivals; or meetings conducted by an organized  | 2368 |
| religious group.   | 2369 |
| (MM) "School-age child" means a child who is enrolled in or        | 2370 |
| is eligible to be enrolled in a grade of kindergarten or above but | 2371 |
| is less than fifteen years old.                                    | 2372 |
| (NN) "School-age child care center" and "school-age child          | 2373 |
| type A home" mean a center or type A home that provides child care | 2374 |
| for school-age children only and that does either or both of the   | 2375 |
| following:   | 2376 |
| (1) Operates only during that part of the day that                 | 2377 |
| immediately precedes or follows the public school day of the       | 2378 |
| school district in which the center or type A home is located;     | 2379 |
| (2) Operates only when the public schools in the school            | 2380 |
| district in which the center or type A home is located are not     | 2381 |
| open for instruction with pupils in attendance.                    | 2382 |
| (OO) "Serious risk noncompliance" means a licensure or             | 2383 |
| certification rule violation that leads to a great risk of harm    | 2384 |
| to, or death of, a child, and is observable, not inferable.        | 2385 |
| (PP) "State median income" means the state median income           | 2386 |
| calculated by the department of development pursuant to division   | 2387 |
| (A)(1)(g) of section 5709.61 of the Revised Code.                  | 2388 |
| (QQ) "Title IV-A" means Title IV-A of the "Social Security         | 2389 |
| Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended.            | 2390 |
| (RR) "Title XX" means Title XX of the "Social Security Act,"       | 2391 |
| 88 Stat. 2337 (1974), 42 U.S.C. 1397, as amended.                  | 2392 |

(SS) "Toddler" means a child who is at least eighteen months of age but less than three years of age. 2393  
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(TT) "Type A family day-care home" and "type A home" mean a permanent residence of the administrator in which child care or publicly funded child care is provided for seven to twelve children at one time or a permanent residence of the administrator in which child care is provided for four to twelve children at one time if four or more children at one time are under two years of age. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the type A home shall be counted. "Type A family day-care home" and "type A home" do not include any child day camp. 2395  
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(UU) "Type B family day-care home" and "type B home" mean a permanent residence of the provider in which child care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted. "Type B family day-care home" and "type B home" do not include any child day camp. 2406  
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**Sec. 5104.03.** (A) As used in this section, "owner" has the same meaning as in section 5104.01 of the Revised Code, except that "owner" also includes a firm, organization, institution, or agency, as well as any individual governing board members, partners, or authorized representatives of the owner. 2415  
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(B) Any person, firm, organization, institution, or agency seeking to establish a child day-care center, type A family day-care home, or licensed type B family day-care home shall apply for a license to the director of job and family services on such 2420  
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form as the director prescribes. The director shall provide at no charge to each applicant for licensure a copy of the child care license requirements in this chapter and a copy of the rules adopted pursuant to this chapter. The copies may be provided in paper or electronic form.

Fees shall be set by the director pursuant to sections 5104.015, 5104.017, and 5104.018 of the Revised Code and shall be paid at the time of application for a license to operate a center, type A home, or type B home. Fees collected under this section shall be paid into the state treasury to the credit of the general revenue fund.

~~(B)~~(C)(1) Upon filing of the application for a license, the director shall investigate and inspect the center, type A home, or type B home to determine the license capacity for each age category of children of the center, type A home, or type B home and to determine whether the center, type A home, or type B home complies with this chapter and rules adopted pursuant to this chapter. When, after investigation and inspection, the director is satisfied that this chapter and rules adopted pursuant to it are complied with, subject to division ~~(H)~~(I) of this section, a license shall be issued as soon as practicable in such form and manner as prescribed by the director. The license shall be designated as provisional and shall be valid for twelve months from the date of issuance unless revoked.

(2) The director may contract with a government entity or a private nonprofit entity for the entity to inspect type A or type B family day-care homes pursuant to this section. If the director contracts with a government entity or private nonprofit entity for that purpose, the entity may contract with another government entity or private nonprofit entity for the other entity to inspect type A or type B homes pursuant to this section. The director, government entity, or private nonprofit entity shall conduct an

inspection prior to the issuance of a license for a type A or type 2456  
B home and, as part of that inspection, ensure that the home is 2457  
safe and sanitary. 2458

~~(C)~~(D)(1) On receipt of an application for licensure as a 2459  
type B family day-care home to provide publicly funded child care, 2460  
the director shall search the uniform statewide automated child 2461  
welfare information system for information concerning any abuse or 2462  
neglect report made pursuant to section 2151.421 of the Revised 2463  
Code of which the applicant, any other adult residing in the 2464  
applicant's home, or a person designated by the applicant to be an 2465  
emergency or substitute caregiver for the applicant is the 2466  
subject. 2467

(2) The director shall consider any information discovered 2468  
pursuant to division ~~(C)~~(D)(1) of this section or that is provided 2469  
by a public children services agency pursuant to section 5153.175 2470  
of the Revised Code. If the director determines that the 2471  
information, when viewed within the totality of the circumstances, 2472  
reasonably leads to the conclusion that the applicant may directly 2473  
or indirectly endanger the health, safety, or welfare of children, 2474  
the director shall deny the application for licensure or revoke 2475  
the license of a type B family day-care home. 2476

~~(D)~~(E) The director shall investigate and inspect the center, 2477  
type A home, or type B home at least once during operation under a 2478  
license designated as provisional. If after the investigation and 2479  
inspection the director determines that the requirements of this 2480  
chapter and rules adopted pursuant to this chapter are met, 2481  
subject to division ~~(H)~~(I) of this section, the director shall 2482  
issue a new license to the center or home. 2483

~~(E)~~(F) Each license shall state the name of the licensee, the 2484  
name of the administrator, the address of the center, type A home, 2485  
or licensed type B home, and the license capacity for each age 2486  
category of children. The license shall include thereon, in 2487

accordance with sections 5104.015, 5104.017, and 5104.018 of the Revised Code, the toll-free telephone number to be used by persons suspecting that the center, type A home, or licensed type B home has violated a provision of this chapter or rules adopted pursuant to this chapter. A license is valid only for the licensee, administrator, address, and license capacity for each age category of children designated on the license. The license capacity specified on the license is the maximum number of children in each age category that may be cared for in the center, type A home, or licensed type B home at one time.

The center or type A home licensee shall notify the director when the administrator of the center or home changes. The director shall amend the current license to reflect a change in an administrator, if the administrator meets the requirements of this chapter and rules adopted pursuant to this chapter, or a change in license capacity for any age category of children as determined by the director of job and family services.

~~(F)~~(G) If the director revokes the license of a center, a type A home, or a type B home, the director shall not issue another license to the owner of the center, type A home, or type B home until five years have elapsed from the date the license is revoked.

If the director denies an application for a license, the director shall not consider another application from the applicant until five years have elapsed from the date the application is denied.

~~(G)~~(H) If during the application for licensure process the director determines that the license of the owner has been revoked, the investigation of the center, type A home, or type B home shall cease. This action does not constitute denial of the application and may not be appealed under division ~~(H)~~(I) of this section.

~~(H)~~(I)(1) Except as provided in division ~~(H)~~(I)(2) of this 2520  
section, all actions of the director with respect to licensing 2521  
centers, type A homes, or type B homes, refusal to license, and 2522  
revocation of a license shall be in accordance with Chapter 119. 2523  
of the Revised Code. Except as provided in division ~~(H)~~(I)(2) of 2524  
this section, any applicant who is denied a license or any owner 2525  
whose license is revoked may appeal in accordance with section 2526  
119.12 of the Revised Code. 2527

(2) The following actions by the director are not subject to 2528  
Chapter 119. of the Revised Code: 2529

(a) The director does not issue a license to the owner of a 2530  
center, type A home, or type B home because the owner sought a 2531  
license before five years had elapsed from the date the previous 2532  
license was revoked. 2533

(b) The director does not issue a license because the 2534  
applicant applied for licensure before five years had elapsed from 2535  
the date the previous application was denied. 2536

~~(I)~~(J) In no case shall the director issue a license under 2537  
this section for a center, type A home, or type B home if the 2538  
director, based on documentation provided by the appropriate 2539  
county department of job and family services, determines that the 2540  
applicant had been certified as a type B family day-care home when 2541  
such certifications were issued by county departments prior to 2542  
January 1, 2014, that the county department revoked that 2543  
certification within the immediately preceding five years, that 2544  
the revocation was based on the applicant's refusal or inability 2545  
to comply with the criteria for certification, and that the 2546  
refusal or inability resulted in a risk to the health or safety of 2547  
children. 2548

~~(J)~~(K)(1) Except as provided in division ~~(J)~~(K)(2) of this 2549  
section, an administrator of a type B family day-care home that 2550

receives a license pursuant to this section to provide publicly 2551  
funded child care is an independent contractor and is not an 2552  
employee of the department of job and family services. 2553

(2) For purposes of Chapter 4141. of the Revised Code, 2554  
determinations concerning the employment of an administrator of a 2555  
type B family day-care home that receives a license pursuant to 2556  
this section shall be determined under Chapter 4141. of the 2557  
Revised Code. 2558

**Sec. 5705.2112.** (A) As used in this section and section 2559  
5705.2113 of the Revised Code: 2560

(1) "Qualifying partnership" has the same meaning as in 2561  
section 3318.71 of the Revised Code. 2562

(2) "Fiscal board" means the board of education of the school 2563  
district that is selected as the fiscal agent of a qualifying 2564  
partnership under division (D) of section 3318.71 of the Revised 2565  
Code. 2566

(3) "Participating school district" means a city, local, 2567  
exempted village, cooperative education, or joint vocational 2568  
school district that is a party to the qualifying partnership 2569  
agreement described in section 3318.71 of the Revised Code. 2570

(4) "Tax distribution" means a distribution of proceeds of 2571  
the tax authorized by this section under section 321.24 of the 2572  
Revised Code and distributions that are attributable to that tax 2573  
under sections 323.156 and 4503.068 of the Revised Code or other 2574  
applicable law. 2575

(5) "Acquisition of classroom facilities" has the same 2576  
meaning as in section 3318.01 of the Revised Code. 2577

(B) The fiscal board of a qualifying partnership may levy a 2578  
tax under this section in excess of the ten-mill limitation for 2579  
the purpose of funding the acquisition of classroom facilities 2580

that benefit the qualifying partnership. The tax is subject to the approval of the electors of all participating school districts. Before proposing the tax to such electors, the fiscal board shall obtain identical resolutions adopted by two-thirds of the members of the board of education of each participating school district. The resolutions shall specify all of the following:

- (1) The rate of the levy;
- (2) The purpose of the levy, which shall be confined to the acquisition of classroom facilities;
- (3) The number of years during which the levy shall be in effect, which shall be for any number of years not exceeding ten;
- (4) That the question of the levy shall be submitted to the electors of each participating school district at a special election;
- (5) The date that such special election shall be held, which shall not be earlier than ninety days after the resolutions are certified to the board or boards of elections under division (C) of this section and which shall be consistent with the requirements of section 3501.01 of the Revised Code.

(C) A resolution adopted under division (B) of this section shall go into immediate effect upon its passage, and no publication of the resolution shall be necessary other than that provided for in the notice of election. Upon passing such a resolution, the board of education of a participating school district shall certify a copy of the resolution to the fiscal board of the qualifying partnership. Once the fiscal board receives an identical resolution from each participating school district, the fiscal board shall certify copies of such resolutions to the board of elections of the proper county or counties in the manner provided by section 5705.25 of the Revised Code. That section shall govern the arrangements for the

submission of the levy to the electors of each participating 2612  
school district and other matters concerning the election to which 2613  
that section refers, including publication of notice of the 2614  
election, except that the election shall be held on the date 2615  
specified in the resolutions and the notice shall be published in 2616  
newspapers of general circulation in all the participating school 2617  
districts. 2618

The question of the levy shall be submitted as a single 2619  
ballot issue to the electors of all the participating school 2620  
districts. If a majority of all such electors voting on the 2621  
question so submitted in the election vote in favor of the levy, 2622  
the fiscal board may make the necessary levy within the territory 2623  
of the participating school districts at the additional rate, or 2624  
at any lesser rate in excess of the ten-mill limitation on the tax 2625  
list, for the purpose stated in the resolutions. 2626

The submission of questions to the electors under this 2627  
section is subject to the limitation on the number of election 2628  
dates established by section 5705.214 of the Revised Code. 2629

(D) Each tax distribution shall be deposited to a special 2630  
fund, established for the purposes described in the resolutions 2631  
proposing the tax levy, in the county treasury of the county in 2632  
which the fiscal board of the qualifying partnership is located. 2633  
The fiscal board shall be the custodian of the amounts deposited 2634  
to such fund and shall have the same rights and responsibilities 2635  
with respect to the fund as boards of education do with respect to 2636  
other levy revenues. 2637

(E) The levy of a tax under this section for the purpose of 2638  
funding the acquisition of classroom facilities benefiting a 2639  
qualifying partnership is hereby determined to be a proper public 2640  
purpose. For the purposes of Chapter 3317. of the Revised Code or 2641  
other laws referring to the "taxes charged and payable" for a 2642  
school district, the taxes charged and payable for a levy 2643

authorized under this section are not included in the taxes 2644  
charged and payable for any participating school district. The 2645  
taxes charged and payable for a levy authorized under this section 2646  
shall not affect the calculation of "state education aid," as 2647  
defined in section 5751.20 of the Revised Code, for any 2648  
participating school district. 2649

(F)(1) After the approval of a levy under this section for a 2650  
specified number of years, the fiscal board of a qualifying 2651  
partnership may anticipate a fraction of the proceeds of the levy 2652  
and issue anticipation notes in a principal amount not exceeding 2653  
~~fifty~~ seventy-five per cent of the total estimated proceeds of the 2654  
levy remaining to be collected in each year over a period of ~~five~~ 2655  
ten years after the issuance of the notes. 2656

The notes shall be issued as provided in section 133.24 of 2657  
the Revised Code, shall have principal payments during each year 2658  
after the year of their issuance over a period not to exceed ~~five~~ 2659  
ten years, and may have a principal payment in the year of their 2660  
issuance. 2661

(2) The fiscal board of a qualifying partnership is a "taxing 2662  
authority" for the purposes of Chapter 133. of the Revised Code 2663  
with respect to the tax and securities authorized under this 2664  
section, and the treasurer of the school district serving as the 2665  
fiscal board is the fiscal officer for the purposes of that 2666  
chapter. 2667

Sec. 5705.2113. The fiscal board of a qualifying partnership 2668  
may declare that it is necessary to issue general obligation bonds 2669  
for the purpose of acquiring classroom facilities and necessary 2670  
appurtenances and to levy a tax in excess of the ten-mill 2671  
limitation to pay debt charges on the bonds as provided in section 2672  
133.18 of the Revised Code, subject to the following: 2673

(A) The issuance of the bonds and the levy of the tax is 2674

subject to approval by a majority of the electors in the combined 2675  
territory of all participating school districts, not necessarily 2676  
by a majority of electors in each participating school district. 2677

(B) Before proposing the question of issuing bonds to the 2678  
electors, the fiscal board shall obtain identical resolutions 2679  
adopted by a majority of the members of the board of education of 2680  
each participating school district specifying all of the matters 2681  
required by division (B) of section 133.18 of the Revised Code. 2682

(C) The maximum maturity of the bonds shall be fifteen years, 2683  
notwithstanding section 133.20 of the Revised Code. 2684

(D) The bonds are Chapter 133. securities for the purposes of 2685  
Chapter 133. of the Revised Code and other law applying to Chapter 2686  
133. securities, except as otherwise provided in this section. 2687

(E) The combined territory and tax valuation of all 2688  
participating school districts is the territory and tax valuation 2689  
of the subdivision for the purposes of that section. 2690

(F) The fiscal board is a "taxing authority" for the purposes 2691  
of Chapter 133. of the Revised Code with respect to the tax and 2692  
bonds authorized under this section, and the treasurer of the 2693  
school district serving as the fiscal board is the fiscal officer 2694  
for the purposes of that chapter. 2695

**Sec. 5709.17.** The following property shall be exempted from 2696  
taxation: 2697

(A) Real estate held or occupied by an association or 2698  
corporation, organized or incorporated under the laws of this 2699  
state relative to soldiers' memorial associations, monumental 2700  
building associations, or cemetery associations or corporations, 2701  
which in the opinion of the trustees, directors, or managers 2702  
thereof is necessary and proper to carry out the object intended 2703  
for such association or corporation; 2704

(B) Real estate and tangible personal property held or 2705  
occupied by a veterans' organization that qualifies for exemption 2706  
from taxation under section 501(c)(19) or 501(c)(23) of the 2707  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as 2708  
amended, and is incorporated under the laws of this state or the 2709  
United States, except real estate held by such an organization for 2710  
the production of rental income in excess of thirty-six thousand 2711  
dollars in a tax year, before accounting for any cost or expense 2712  
incurred in the production of such income. For the purposes of 2713  
this division, rental income includes only income arising directly 2714  
from renting the real estate to others for consideration. 2715

(C) Tangible personal property held by a corporation 2716  
chartered under 112 Stat. 1335, 36 U.S.C.A. 40701, described in 2717  
section 501(c)(3) of the Internal Revenue Code, and exempt from 2718  
taxation under section 501(a) of the Internal Revenue Code shall 2719  
be exempt from taxation if it is property obtained as described in 2720  
112 Stat. 1335-1341, 36 U.S.C.A. Chapter 407. 2721

(D) Real estate held or occupied by a fraternal organization 2722  
and used primarily for meetings of and the administration of the 2723  
fraternal organization or for providing, on a not-for-profit 2724  
basis, educational or health services, except real estate held by 2725  
such an organization for the production of rental income in excess 2726  
of thirty-six thousand dollars in a tax year before accounting for 2727  
any cost or expense incurred in the production of such income. As 2728  
used in this division, "rental income" has the same meaning as in 2729  
division (B) of this section, and "fraternal organization" means a 2730  
domestic fraternal society, order, or association operating under 2731  
the lodge, council, or grange system that qualifies for exemption 2732  
from taxation under section 501(c)(5), 501(c)(8), or 501(c)(10) of 2733  
the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, 2734  
as amended; that provides financial support for charitable 2735  
purposes, as defined in division (B)(12) of section 5739.02 of the 2736

Revised Code; and that has been operating in this state with a 2737  
state governing body for at least eighty-five years. 2738

**Sec. 5726.98.** (A) To provide a uniform procedure for 2739  
calculating the amount of tax due under section 5726.02 of the 2740  
Revised Code, a taxpayer shall claim any credits to which the 2741  
taxpayer is entitled under this chapter in the following order: 2742

~~(1) The bank organization assessment credit under section 2743  
5726.51 of the Revised Code;~~ 2744

~~(2)~~ The nonrefundable job retention credit under division (B) 2745  
of section 5726.50 of the Revised Code; 2746

~~(3)~~(2) The nonrefundable credit for purchases of qualified 2747  
low-income community investments under section 5726.54 of the 2748  
Revised Code; 2749

~~(4)~~(3) The nonrefundable credit for qualified research 2750  
expenses under section 5726.56 of the Revised Code; 2751

~~(5)~~(4) The nonrefundable credit for qualifying dealer in 2752  
intangibles taxes under section 5726.57 of the Revised Code; 2753

~~(6)~~(5) The refundable credit for rehabilitating an historic 2754  
building under section 5726.52 of the Revised Code; 2755

~~(7)~~(6) The refundable job retention or job creation credit 2756  
under division (A) of section 5726.50 of the Revised Code; 2757

~~(8)~~(7) The refundable credit under section 5726.53 of the 2758  
Revised Code for losses on loans made under the Ohio venture 2759  
capital program under sections 150.01 to 150.10 of the Revised 2760  
Code; 2761

~~(9)~~(8) The refundable motion picture production credit under 2762  
section 5726.55 of the Revised Code. 2763

(B) For any credit except the refundable credits enumerated 2764  
in this section, the amount of the credit for a taxable year shall 2765

not exceed the tax due after allowing for any other credit that 2766  
precedes it in the order required under this section. Any excess 2767  
amount of a particular credit may be carried forward if authorized 2768  
under the section creating that credit. Nothing in this chapter 2769  
shall be construed to allow a taxpayer to claim, directly or 2770  
indirectly, a credit more than once for a taxable year. 2771

**Sec. 5733.01.** (A) The tax provided by this chapter for 2772  
domestic corporations shall be the amount charged against each 2773  
corporation organized for profit under the laws of this state and 2774  
each nonprofit corporation organized pursuant to Chapter 1729. of 2775  
the Revised Code, except as provided in sections 5733.09 and 2776  
5733.10 of the Revised Code, for the privilege of exercising its 2777  
franchise during the calendar year in which that amount is 2778  
payable, and the tax provided by this chapter for foreign 2779  
corporations shall be the amount charged against each corporation 2780  
organized for profit and each nonprofit corporation organized or 2781  
operating in the same or similar manner as nonprofit corporations 2782  
organized under Chapter 1729. of the Revised Code, under the laws 2783  
of any state or country other than this state, except as provided 2784  
in sections 5733.09 and 5733.10 of the Revised Code, for the 2785  
privilege of doing business in this state, owning or using a part 2786  
or all of its capital or property in this state, holding a 2787  
certificate of compliance with the laws of this state authorizing 2788  
it to do business in this state, or otherwise having nexus in or 2789  
with this state under the Constitution of the United States, 2790  
during the calendar year in which that amount is payable. 2791

(B) A corporation is subject to the tax imposed by section 2792  
5733.06 of the Revised Code for each calendar year prior to 2014 2793  
that it is so organized, doing business, owning or using a part or 2794  
all of its capital or property, holding a certificate of 2795  
compliance, or otherwise having nexus in or with this state under 2796  
the Constitution of the United States, on the first day of January 2797

of that calendar year. No credit authorized by this chapter may be 2798  
claimed for tax year 2014 or any tax year thereafter. 2799

(C) Any corporation subject to this chapter that is not 2800  
subject to the federal income tax shall file its returns and 2801  
compute its tax liability as required by this chapter in the same 2802  
manner as if that corporation were subject to the federal income 2803  
tax. 2804

(D) For purposes of this chapter, a federally chartered 2805  
financial institution shall be deemed to be organized under the 2806  
laws of the state within which its principal office is located. 2807

(E) For purposes of this chapter, any person, as defined in 2808  
section 5701.01 of the Revised Code, shall be treated as a 2809  
corporation if the person is classified for federal income tax 2810  
purposes as an association taxable as a corporation, and an equity 2811  
interest in the person shall be treated as capital stock of the 2812  
person. 2813

(F) For the purposes of this chapter, "disregarded entity" 2814  
has the same meaning as in division (D) of section 5745.01 of the 2815  
Revised Code. 2816

(1) A person's interest in a disregarded entity, whether held 2817  
directly or indirectly, shall be treated as the person's ownership 2818  
of the assets and liabilities of the disregarded entity, and the 2819  
income, including gain or loss, shall be included in the person's 2820  
net income under this chapter. 2821

(2) Any sale, exchange, or other disposition of the person's 2822  
interest in the disregarded entity, whether held directly or 2823  
indirectly, shall be treated as a sale, exchange, or other 2824  
disposition of the person's share of the disregarded entity's 2825  
underlying assets or liabilities, and the gain or loss from such 2826  
sale, exchange, or disposition shall be included in the person's 2827  
net income under this chapter. 2828

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| (3) The disregarded entity's payroll, property, and sales factors shall be included in the person's factors.  | 2829<br>2830   |
| (G) The tax a corporation is required to pay under this chapter shall be as follows:  | 2831<br>2832   |
| (1)(a) For financial institutions, the greater of the minimum payment required under division (E) of section 5733.06 of the Revised Code or the difference between all taxes charged the financial institution under this chapter, without regard to division (G)(2) of this section, less any credits allowable against such tax.  | 2833<br>2834<br>2835<br>2836<br>2837<br>2838   |
| (b) A corporation satisfying the description in division (E)(5), (6), (7), (8), or (10) of section 5751.01 of the Revised Code, as that section existed before its amendment by H.B. 510 of the 129th general assembly, that is not a financial institution, insurance company, or dealer in intangibles is subject to the taxes imposed under this chapter as a corporation and not subject to tax as a financial institution, and shall pay the greater of the minimum payment required under division (E) of section 5733.06 of the Revised Code or the difference between all the taxes charged under this chapter, without regard to division (G)(2) of this section, less any credits allowable against such tax. | 2839<br>2840<br>2841<br>2842<br>2843<br>2844<br>2845<br>2846<br>2847<br>2848<br>2849 |
| (2) For all corporations other than those persons described in division (G)(1)(a) or (b) of this section, the amount under division (G)(2)(a) of this section applicable to the tax year specified less the amount under division (G)(2)(b) of this section:  | 2850<br>2851<br>2852<br>2853<br>2854   |
| (a)(i) For tax year 2005, the greater of the minimum payment required under division (E) of section 5733.06 of the Revised Code or the difference between all taxes charged the corporation under this chapter and any credits allowable against such tax;  | 2855<br>2856<br>2857<br>2858   |
| (ii) For tax year 2006, the greater of the minimum payment  | 2859   |

required under division (E) of section 5733.06 of the Revised Code 2860  
or four-fifths of the difference between all taxes charged the 2861  
corporation under this chapter and any credits allowable against 2862  
such tax, except the qualifying pass-through entity tax credit 2863  
described in division (A)(30) and the refundable credits described 2864  
in divisions (A)(31) to (35) of section 5733.98 of the Revised 2865  
Code; 2866

(iii) For tax year 2007, the greater of the minimum payment 2867  
required under division (E) of section 5733.06 of the Revised Code 2868  
or three-fifths of the difference between all taxes charged the 2869  
corporation under this chapter and any credits allowable against 2870  
such tax, except the qualifying pass-through entity tax credit 2871  
described in division (A)(30) and the refundable credits described 2872  
in divisions (A)(31) to (35) of section 5733.98 of the Revised 2873  
Code; 2874

(iv) For tax year 2008, the greater of the minimum payment 2875  
required under division (E) of section 5733.06 of the Revised Code 2876  
or two-fifths of the difference between all taxes charged the 2877  
corporation under this chapter and any credits allowable against 2878  
such tax, except the qualifying pass-through entity tax credit 2879  
described in division (A)(30) and the refundable credits described 2880  
in divisions (A)(31) to (35) of section 5733.98 of the Revised 2881  
Code; 2882

(v) For tax year 2009, the greater of the minimum payment 2883  
required under division (E) of section 5733.06 of the Revised Code 2884  
or one-fifth of the difference between all taxes charged the 2885  
corporation under this chapter and any credits allowable against 2886  
such tax, except the qualifying pass-through entity tax credit 2887  
described in division (A)(30) and the refundable credits described 2888  
in divisions (A)(31), (32), (33), and (34) of section 5733.98 of 2889  
the Revised Code; 2890

(vi) For tax year 2010 and each tax year thereafter, no tax. 2891

(b) A corporation shall subtract from the amount calculated 2892  
under division (G)(2)(a)(ii), (iii), (iv), or (v) of this section 2893  
any qualifying pass-through entity tax credit described in 2894  
division (A)(30) and any refundable credits described in divisions 2895  
(A)(31) to (35) of section 5733.98 of the Revised Code to which 2896  
the corporation is entitled. Any unused qualifying pass-through 2897  
entity tax credit is not refundable. 2898

(c) For the purposes of computing the amount of a credit that 2899  
may be carried forward to a subsequent tax year under division 2900  
(G)(2) of this section, a credit is utilized against the tax for a 2901  
tax year to the extent the credit applies against the tax for that 2902  
tax year, even if the difference is then multiplied by the 2903  
applicable fraction under division (G)(2)(a) of this section. 2904

(d) References in division (G)(2) of this section to section 2905  
5733.98 of the Revised Code is to that section before its 2906  
amendment by H.B. 59 of the 130th general assembly and by H.B. 340 2907  
of the 131st general assembly. 2908

(3) Nothing in division (G) of this section eliminates or 2909  
reduces the tax imposed by section 5733.41 of the Revised Code on 2910  
a qualifying pass-through entity. 2911

**Sec. 5733.98.** (A) To provide a uniform procedure for 2912  
calculating the amount of tax imposed by section 5733.06 of the 2913  
Revised Code that is due under this chapter, a taxpayer shall 2914  
claim any credits to which it is entitled in the following order, 2915  
except as otherwise provided in section 5733.058 of the Revised 2916  
Code: 2917

(1) For tax year 2005, the credit for taxes paid by a 2918  
qualifying pass-through entity allowed under section 5733.0611 of 2919  
the Revised Code; 2920

(2) The credit allowed for financial institutions under 2921

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| section 5733.45 of the Revised Code;   | 2922                 |
| (3) The credit for qualifying affiliated groups under section 5733.068 of the Revised Code;  | 2923<br>2924         |
| (4) The subsidiary corporation credit under section 5733.067 of the Revised Code;  | 2925<br>2926         |
| <del>(5) The savings and loan assessment credit under section 5733.063 of the Revised Code;</del>  | 2927<br>2928         |
| <del>(6)</del> The credit for recycling and litter prevention donations under section 5733.064 of the Revised Code;                                  | 2929<br>2930         |
| <del>(7)</del> <u>(6)</u> The credit for employers that enter into agreements with child day-care centers under section 5733.36 of the Revised Code; | 2931<br>2932<br>2933 |
| <del>(8)</del> <u>(7)</u> The credit for employers that reimburse employee child care expenses under section 5733.38 of the Revised Code;            | 2934<br>2935         |
| <del>(9)</del> <u>(8)</u> The credit for maintaining railroad active grade crossing warning devices under section 5733.43 of the Revised Code;       | 2936<br>2937<br>2938 |
| <del>(10)</del> <u>(9)</u> The credit for purchases of lights and reflectors under section 5733.44 of the Revised Code;                              | 2939<br>2940         |
| <del>(11)</del> <u>(10)</u> The nonrefundable job retention credit under division (B) of section 5733.0610 of the Revised Code;                      | 2941<br>2942         |
| <del>(12)</del> <u>(11)</u> The second credit for purchases of new manufacturing machinery and equipment under section 5733.33 of the Revised Code;  | 2943<br>2944         |
| <del>(13)</del> <u>(12)</u> The job training credit under section 5733.42 of the Revised Code;   | 2945<br>2946         |
| <del>(14)</del> <u>(13)</u> The credit for qualified research expenses under section 5733.351 of the Revised Code;                                   | 2947<br>2948         |
| <del>(15)</del> <u>(14)</u> The enterprise zone credit under section 5709.66 of the Revised Code;  | 2949<br>2950         |

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| <del>(16)</del> <u>(15)</u> The credit for the eligible costs associated with a voluntary action under section 5733.34 of the Revised Code;   | 2951<br>2952         |
| <del>(17)</del> <u>(16)</u> The credit for employers that establish on-site child day-care centers under section 5733.37 of the Revised Code;   | 2953<br>2954         |
| <del>(18)</del> <u>(17)</u> The ethanol plant investment credit under section 5733.46 of the Revised Code;  | 2955<br>2956         |
| <del>(19)</del> <u>(18)</u> The credit for purchases of qualifying grape production property under section 5733.32 of the Revised Code;   | 2957<br>2958         |
| <del>(20)</del> <u>(19)</u> The export sales credit under section 5733.069 of the Revised Code;   | 2959<br>2960         |
| <del>(21)</del> <u>(20)</u> The enterprise zone credits under section 5709.65 of the Revised Code;  | 2961<br>2962         |
| <del>(22)</del> <u>(21)</u> The credit for using Ohio coal under section 5733.39 of the Revised Code;   | 2963<br>2964         |
| <del>(23)</del> <u>(22)</u> The credit for purchases of qualified low-income community investments under section 5733.58 of the Revised Code;   | 2965<br>2966         |
| <del>(24)</del> <u>(23)</u> The credit for small telephone companies under section 5733.57 of the Revised Code;   | 2967<br>2968         |
| <del>(25)</del> <u>(24)</u> The credit for eligible nonrecurring 9-1-1 charges under section 5733.55 of the Revised Code;   | 2969<br>2970         |
| <del>(26)</del> <u>(25)</u> For tax year 2005, the credit for providing programs to aid the communicatively impaired under division (A) of section 5733.56 of the Revised Code;             | 2971<br>2972<br>2973 |
| <del>(27)</del> <u>(26)</u> The research and development credit under section 5733.352 of the Revised Code;   | 2974<br>2975         |
| <del>(28)</del> <u>(27)</u> For tax years 2006 and subsequent tax years, the credit for taxes paid by a qualifying pass-through entity allowed under section 5733.0611 of the Revised Code; | 2976<br>2977<br>2978 |
| <del>(29)</del> <u>(28)</u> The refundable credit for rehabilitating a historic   | 2979                 |

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| building under section 5733.47 of the Revised Code;  | 2980   |
| <del>(30)</del> <u>(29)</u> The refundable jobs creation credit or job retention credit under division (A) of section 5733.0610 of the Revised Code;   | 2981<br>2982<br>2983   |
| <del>(31)</del> <u>(30)</u> The refundable credit for tax withheld under division (B)(2) of section 5747.062 of the Revised Code;  | 2984<br>2985   |
| <del>(32)</del> <u>(31)</u> The refundable credit under section 5733.49 of the Revised Code for losses on loans made to the Ohio venture capital program under sections 150.01 to 150.10 of the Revised Code;  | 2986<br>2987<br>2988   |
| <del>(33)</del> <u>(32)</u> For tax years 2006, 2007, and 2008, the refundable credit allowable under division (B) of section 5733.56 of the Revised Code;   | 2989<br>2990<br>2991   |
| <del>(34)</del> <u>(33)</u> The refundable motion picture production credit under section 5733.59 of the Revised Code.   | 2992<br>2993   |
| (B) For any credit except the refundable credits enumerated in this section, the amount of the credit for a tax year shall not exceed the tax due after allowing for any other credit that precedes it in the order required under this section. Any excess amount of a particular credit may be carried forward if authorized under the section creating that credit.   | 2994<br>2995<br>2996<br>2997<br>2998<br>2999                         |
| <b>Sec. 5751.01.</b> As used in this chapter:  | 3000   |
| (A) "Person" means, but is not limited to, individuals, combinations of individuals of any form, receivers, assignees, trustees in bankruptcy, firms, companies, joint-stock companies, business trusts, estates, partnerships, limited liability partnerships, limited liability companies, associations, joint ventures, clubs, societies, for-profit corporations, S corporations, qualified subchapter S subsidiaries, qualified subchapter S trusts, trusts, entities that are disregarded for federal income tax purposes, and any other entities. | 3001<br>3002<br>3003<br>3004<br>3005<br>3006<br>3007<br>3008<br>3009 |

(B) "Consolidated elected taxpayer" means a group of two or more persons treated as a single taxpayer for purposes of this chapter as the result of an election made under section 5751.011 of the Revised Code.

(C) "Combined taxpayer" means a group of two or more persons treated as a single taxpayer for purposes of this chapter under section 5751.012 of the Revised Code.

(D) "Taxpayer" means any person, or any group of persons in the case of a consolidated elected taxpayer or combined taxpayer treated as one taxpayer, required to register or pay tax under this chapter. "Taxpayer" does not include excluded persons.

(E) "Excluded person" means any of the following:

(1) Any person with not more than one hundred fifty thousand dollars of taxable gross receipts during the calendar year. Division (E)(1) of this section does not apply to a person that is a member of a consolidated elected taxpayer;

(2) A public utility that paid the excise tax imposed by section 5727.24 or 5727.30 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter, except that a public utility that is a combined company is a taxpayer with regard to the following gross receipts:

(a) Taxable gross receipts directly attributed to a public utility activity, but not directly attributed to an activity that is subject to the excise tax imposed by section 5727.24 or 5727.30 of the Revised Code;

(b) Taxable gross receipts that cannot be directly attributed to any activity, multiplied by a fraction whose numerator is the taxable gross receipts described in division (E)(2)(a) of this section and whose denominator is the total taxable gross receipts that can be directly attributed to any activity;

(c) Except for any differences resulting from the use of an 3040  
accrual basis method of accounting for purposes of determining 3041  
gross receipts under this chapter and the use of the cash basis 3042  
method of accounting for purposes of determining gross receipts 3043  
under section 5727.24 of the Revised Code, the gross receipts 3044  
directly attributed to the activity of a natural gas company shall 3045  
be determined in a manner consistent with division (D) of section 3046  
5727.03 of the Revised Code. 3047

As used in division (E)(2) of this section, "combined 3048  
company" and "public utility" have the same meanings as in section 3049  
5727.01 of the Revised Code. 3050

(3) A financial institution, as defined in section 5726.01 of 3051  
the Revised Code, that paid the tax imposed by section 5726.02 of 3052  
the Revised Code based on one or more taxable years that include 3053  
the entire tax period under this chapter; 3054

(4) A person directly or indirectly owned by one or more 3055  
financial institutions, as defined in section 5726.01 of the 3056  
Revised Code, that paid the tax imposed by section 5726.02 of the 3057  
Revised Code based on one or more taxable years that include the 3058  
entire tax period under this chapter. 3059

For the purposes of division (E)(4) of this section, a person 3060  
owns another person under the following circumstances: 3061

(a) In the case of corporations issuing capital stock, one 3062  
corporation owns another corporation if it owns fifty per cent or 3063  
more of the other corporation's capital stock with current voting 3064  
rights; 3065

(b) In the case of a limited liability company, one person 3066  
owns the company if that person's membership interest, as defined 3067  
in section 1705.01 of the Revised Code, is fifty per cent or more 3068  
of the combined membership interests of all persons owning such 3069  
interests in the company; 3070

(c) In the case of a partnership, trust, or other unincorporated business organization other than a limited liability company, one person owns the organization if, under the articles of organization or other instrument governing the affairs of the organization, that person has a beneficial interest in the organization's profits, surpluses, losses, or distributions of fifty per cent or more of the combined beneficial interests of all persons having such an interest in the organization.

(5) A domestic insurance company or foreign insurance company, as defined in section 5725.01 of the Revised Code, that paid the insurance company premiums tax imposed by section 5725.18 or Chapter 5729. of the Revised Code, or an unauthorized insurance company whose gross premiums are subject to tax under section 3905.36 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter;

(6) A person that solely facilitates or services one or more securitizations of phase-in-recovery property pursuant to a final financing order as those terms are defined in section 4928.23 of the Revised Code. For purposes of this division, "securitization" means transferring one or more assets to one or more persons and then issuing securities backed by the right to receive payment from the asset or assets so transferred.

(7) Except as otherwise provided in this division, a pre-income tax trust as defined in division (FF)(4) of section 5747.01 of the Revised Code and any pass-through entity of which such pre-income tax trust owns or controls, directly, indirectly, or constructively through related interests, more than five per cent of the ownership or equity interests. If the pre-income tax trust has made a qualifying pre-income tax trust election under division (FF)(3) of section 5747.01 of the Revised Code, then the trust and the pass-through entities of which it owns or controls, directly, indirectly, or constructively through related interests,

more than five per cent of the ownership or equity interests, 3103  
shall not be excluded persons for purposes of the tax imposed 3104  
under section 5751.02 of the Revised Code. 3105

(8) Nonprofit organizations or the state and its agencies, 3106  
instrumentalities, or political subdivisions. 3107

(F) Except as otherwise provided in divisions (F)(2), (3), 3108  
and (4) of this section, "gross receipts" means the total amount 3109  
realized by a person, without deduction for the cost of goods sold 3110  
or other expenses incurred, that contributes to the production of 3111  
gross income of the person, including the fair market value of any 3112  
property and any services received, and any debt transferred or 3113  
forgiven as consideration. 3114

(1) The following are examples of gross receipts: 3115

(a) Amounts realized from the sale, exchange, or other 3116  
disposition of the taxpayer's property to or with another; 3117

(b) Amounts realized from the taxpayer's performance of 3118  
services for another; 3119

(c) Amounts realized from another's use or possession of the 3120  
taxpayer's property or capital; 3121

(d) Any combination of the foregoing amounts. 3122

(2) "Gross receipts" excludes the following amounts: 3123

(a) Interest income except interest on credit sales; 3124

(b) Dividends and distributions from corporations, and 3125  
distributive or proportionate shares of receipts and income from a 3126  
pass-through entity as defined under section 5733.04 of the 3127  
Revised Code; 3128

(c) Receipts from the sale, exchange, or other disposition of 3129  
an asset described in section 1221 or 1231 of the Internal Revenue 3130  
Code, without regard to the length of time the person held the 3131  
asset. Notwithstanding section 1221 of the Internal Revenue Code, 3132

receipts from hedging transactions also are excluded to the extent 3133  
the transactions are entered into primarily to protect a financial 3134  
position, such as managing the risk of exposure to (i) foreign 3135  
currency fluctuations that affect assets, liabilities, profits, 3136  
losses, equity, or investments in foreign operations; (ii) 3137  
interest rate fluctuations; or (iii) commodity price fluctuations. 3138  
As used in division (F)(2)(c) of this section, "hedging 3139  
transaction" has the same meaning as used in section 1221 of the 3140  
Internal Revenue Code and also includes transactions accorded 3141  
hedge accounting treatment under statement of financial accounting 3142  
standards number 133 of the financial accounting standards board. 3143  
For the purposes of division (F)(2)(c) of this section, the actual 3144  
transfer of title of real or tangible personal property to another 3145  
entity is not a hedging transaction. 3146

(d) Proceeds received attributable to the repayment, 3147  
maturity, or redemption of the principal of a loan, bond, mutual 3148  
fund, certificate of deposit, or marketable instrument; 3149

(e) The principal amount received under a repurchase 3150  
agreement or on account of any transaction properly characterized 3151  
as a loan to the person; 3152

(f) Contributions received by a trust, plan, or other 3153  
arrangement, any of which is described in section 501(a) of the 3154  
Internal Revenue Code, or to which Title 26, Subtitle A, Chapter 3155  
1, Subchapter (D) of the Internal Revenue Code applies; 3156

(g) Compensation, whether current or deferred, and whether in 3157  
cash or in kind, received or to be received by an employee, former 3158  
employee, or the employee's legal successor for services rendered 3159  
to or for an employer, including reimbursements received by or for 3160  
an individual for medical or education expenses, health insurance 3161  
premiums, or employee expenses, or on account of a dependent care 3162  
spending account, legal services plan, any cafeteria plan 3163  
described in section 125 of the Internal Revenue Code, or any 3164

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| similar employee reimbursement;   | 3165   |
| (h) Proceeds received from the issuance of the taxpayer's own stock, options, warrants, puts, or calls, or from the sale of the taxpayer's treasury stock;  | 3166<br>3167<br>3168   |
| (i) Proceeds received on the account of payments from insurance policies, except those proceeds received for the loss of business revenue;  | 3169<br>3170<br>3171   |
| (j) Gifts or charitable contributions received; membership dues received by trade, professional, homeowners', or condominium associations; and payments received for educational courses, meetings, meals, or similar payments to a trade, professional, or other similar association; and fundraising receipts received by any person when any excess receipts are donated or used exclusively for charitable purposes;  | 3172<br>3173<br>3174<br>3175<br>3176<br>3177<br>3178                         |
| (k) Damages received as the result of litigation in excess of amounts that, if received without litigation, would be gross receipts;  | 3179<br>3180<br>3181   |
| (l) Property, money, and other amounts received or acquired by an agent on behalf of another in excess of the agent's commission, fee, or other remuneration;   | 3182<br>3183<br>3184   |
| (m) Tax refunds, other tax benefit recoveries, and reimbursements for the tax imposed under this chapter made by entities that are part of the same combined taxpayer or consolidated elected taxpayer group, and reimbursements made by entities that are not members of a combined taxpayer or consolidated elected taxpayer group that are required to be made for economic parity among multiple owners of an entity whose tax obligation under this chapter is required to be reported and paid entirely by one owner, pursuant to the requirements of sections 5751.011 and 5751.012 of the Revised Code; | 3185<br>3186<br>3187<br>3188<br>3189<br>3190<br>3191<br>3192<br>3193<br>3194 |
| (n) Pension reversions;   | 3195   |

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| (o) Contributions to capital;   | 3196   |
| (p) Sales or use taxes collected as a vendor or an out-of-state seller on behalf of the taxing jurisdiction from a consumer or other taxes the taxpayer is required by law to collect directly from a purchaser and remit to a local, state, or federal tax authority;  | 3197<br>3198<br>3199<br>3200<br>3201                 |
| (q) In the case of receipts from the sale of cigarettes or tobacco products by a wholesale dealer, retail dealer, distributor, manufacturer, or seller, all as defined in section 5743.01 of the Revised Code, an amount equal to the federal and state excise taxes paid by any person on or for such cigarettes or tobacco products under subtitle E of the Internal Revenue Code or Chapter 5743. of the Revised Code;       | 3202<br>3203<br>3204<br>3205<br>3206<br>3207<br>3208 |
| (r) In the case of receipts from the sale, transfer, exchange, or other disposition of motor fuel as "motor fuel" is defined in section 5736.01 of the Revised Code, an amount equal to the value of the motor fuel, including federal and state motor fuel excise taxes and receipts from billing or invoicing the tax imposed under section 5736.02 of the Revised Code to another person;                                    | 3209<br>3210<br>3211<br>3212<br>3213<br>3214<br>3215 |
| (s) In the case of receipts from the sale of beer or intoxicating liquor, as defined in section 4301.01 of the Revised Code, by a person holding a permit issued under Chapter 4301. or 4303. of the Revised Code, an amount equal to federal and state excise taxes paid by any person on or for such beer or intoxicating liquor under subtitle E of the Internal Revenue Code or Chapter 4301. or 4305. of the Revised Code; | 3216<br>3217<br>3218<br>3219<br>3220<br>3221<br>3222 |
| (t) Receipts realized by a new motor vehicle dealer or used motor vehicle dealer, as defined in section 4517.01 of the Revised Code, from the sale or other transfer of a motor vehicle, as defined in that section, to another motor vehicle dealer for the  | 3223<br>3224<br>3225<br>3226                         |

purpose of resale by the transferee motor vehicle dealer, but only 3227  
if the sale or other transfer was based upon the transferee's need 3228  
to meet a specific customer's preference for a motor vehicle; 3229

(u) Receipts from a financial institution described in 3230  
division (E)(3) of this section for services provided to the 3231  
financial institution in connection with the issuance, processing, 3232  
servicing, and management of loans or credit accounts, if such 3233  
financial institution and the recipient of such receipts have at 3234  
least fifty per cent of their ownership interests owned or 3235  
controlled, directly or constructively through related interests, 3236  
by common owners; 3237

(v) Receipts realized from administering anti-neoplastic 3238  
drugs and other cancer chemotherapy, biologicals, therapeutic 3239  
agents, and supportive drugs in a physician's office to patients 3240  
with cancer; 3241

(w) Funds received or used by a mortgage broker that is not a 3242  
dealer in intangibles, other than fees or other consideration, 3243  
pursuant to a table-funding mortgage loan or warehouse-lending 3244  
mortgage loan. Terms used in division (F)(2)(w) of this section 3245  
have the same meanings as in section 1322.01 of the Revised Code, 3246  
except "mortgage broker" means a person assisting a buyer in 3247  
obtaining a mortgage loan for a fee or other consideration paid by 3248  
the buyer or a lender, or a person engaged in table-funding or 3249  
warehouse-lending mortgage loans that are first lien mortgage 3250  
loans. 3251

(x) Property, money, and other amounts received by a 3252  
professional employer organization, as defined in section 4125.01 3253  
of the Revised Code, from a client employer, as defined in that 3254  
section, in excess of the administrative fee charged by the 3255  
professional employer organization to the client employer; 3256

(y) In the case of amounts retained as commissions by a 3257

permit holder under Chapter 3769. of the Revised Code, an amount 3258  
equal to the amounts specified under that chapter that must be 3259  
paid to or collected by the tax commissioner as a tax and the 3260  
amounts specified under that chapter to be used as purse money; 3261

(z) Qualifying distribution center receipts. 3262

(i) For purposes of division (F)(2)(z) of this section: 3263

(I) "Qualifying distribution center receipts" means receipts 3264  
of a supplier from qualified property that is delivered to a 3265  
qualified distribution center, multiplied by a quantity that 3266  
equals one minus the Ohio delivery percentage. If the qualified 3267  
distribution center is a refining facility, "supplier" includes 3268  
all dealers, brokers, processors, sellers, vendors, cosigners, and 3269  
distributors of qualified property. 3270

(II) "Qualified property" means tangible personal property 3271  
delivered to a qualified distribution center that is shipped to 3272  
that qualified distribution center solely for further shipping by 3273  
the qualified distribution center to another location in this 3274  
state or elsewhere or, in the case of gold, silver, platinum, or 3275  
palladium delivered to a refining facility solely for refining to 3276  
a grade and fineness acceptable for delivery to a registered 3277  
commodities exchange. "Further shipping" includes storing and 3278  
repackaging property into smaller or larger bundles, so long as 3279  
the property is not subject to further manufacturing or 3280  
processing. "Refining" is limited to extracting impurities from 3281  
gold, silver, platinum, or palladium through smelting or some 3282  
other process at a refining facility. 3283

(III) "Qualified distribution center" means a warehouse, a 3284  
facility similar to a warehouse, or a refining facility in this 3285  
state that, for the qualifying year, is operated by a person that 3286  
is not part of a combined taxpayer group and that has a qualifying 3287  
certificate. All warehouses or facilities similar to warehouses 3288

that are operated by persons in the same taxpayer group and that 3289  
are located within one mile of each other shall be treated as one 3290  
qualified distribution center. All refining facilities that are 3291  
operated by persons in the same taxpayer group and that are 3292  
located in the same or adjacent counties may be treated as one 3293  
qualified distribution center. 3294

(IV) "Qualifying year" means the calendar year to which the 3295  
qualifying certificate applies. 3296

(V) "Qualifying period" means the period of the first day of 3297  
July of the second year preceding the qualifying year through the 3298  
thirtieth day of June of the year preceding the qualifying year. 3299

(VI) "Qualifying certificate" means the certificate issued by 3300  
the tax commissioner after the operator of a distribution center 3301  
files an annual application with the commissioner. The application 3302  
and annual fee shall be filed and paid for each qualified 3303  
distribution center on or before the first day of September before 3304  
the qualifying year or within forty-five days after the 3305  
distribution center opens, whichever is later. 3306

The applicant must substantiate to the commissioner's 3307  
satisfaction that, for the qualifying period, all persons 3308  
operating the distribution center have more than fifty per cent of 3309  
the cost of the qualified property shipped to a location such that 3310  
it would be situated outside this state under the provisions of 3311  
division (E) of section 5751.033 of the Revised Code. The 3312  
applicant must also substantiate that the distribution center 3313  
cumulatively had costs from its suppliers equal to or exceeding 3314  
five hundred million dollars during the qualifying period. (For 3315  
purposes of division (F)(2)(z)(i)(VI) of this section, "supplier" 3316  
excludes any person that is part of the consolidated elected 3317  
taxpayer group, if applicable, of the operator of the qualified 3318  
distribution center.) The commissioner may require the applicant 3319  
to have an independent certified public accountant certify that 3320

the calculation of the minimum thresholds required for a qualified 3321  
distribution center by the operator of a distribution center has 3322  
been made in accordance with generally accepted accounting 3323  
principles. The commissioner shall issue or deny the issuance of a 3324  
certificate within sixty days after the receipt of the 3325  
application. A denial is subject to appeal under section 5717.02 3326  
of the Revised Code. If the operator files a timely appeal under 3327  
section 5717.02 of the Revised Code, the operator shall be granted 3328  
a qualifying certificate effective for the remainder of the 3329  
qualifying year or until the appeal is finalized, whichever is 3330  
earlier. If the operator does not prevail in the appeal, the 3331  
operator shall pay the ineligible operator's supplier tax 3332  
liability. 3333

(VII) "Ohio delivery percentage" means the proportion of the 3334  
total property delivered to a destination inside Ohio from the 3335  
qualified distribution center during the qualifying period 3336  
compared with total deliveries from such distribution center 3337  
everywhere during the qualifying period. 3338

(VIII) "Refining facility" means one or more buildings 3339  
located in a county in the Appalachian region of this state as 3340  
defined by section 107.21 of the Revised Code and utilized for 3341  
refining or smelting gold, silver, platinum, or palladium to a 3342  
grade and fineness acceptable for delivery to a registered 3343  
commodities exchange. 3344

(IX) "Registered commodities exchange" means a board of 3345  
trade, such as New York mercantile exchange, inc. or commodity 3346  
exchange, inc., designated as a contract market by the commodity 3347  
futures trading commission under the "Commodity Exchange Act," 7 3348  
U.S.C. 1 et seq., as amended. 3349

(X) "Ineligible operator's supplier tax liability" means an 3350  
amount equal to the tax liability of all suppliers of a 3351  
distribution center had the distribution center not been issued a 3352

qualifying certificate for the qualifying year. Ineligible 3353  
operator's supplier tax liability shall not include interest or 3354  
penalties. The tax commissioner shall determine an ineligible 3355  
operator's supplier tax liability based on information that the 3356  
commissioner may request from the operator of the distribution 3357  
center. An operator shall provide a list of all suppliers of the 3358  
distribution center and the corresponding costs of qualified 3359  
property for the qualifying year at issue within sixty days of a 3360  
request by the commissioner under this division. 3361

(ii)(I) If the distribution center is new and was not open 3362  
for the entire qualifying period, the operator of the distribution 3363  
center may request that the commissioner grant a qualifying 3364  
certificate. If the certificate is granted and it is later 3365  
determined that more than fifty per cent of the qualified property 3366  
during that year was not shipped to a location such that it would 3367  
be situated outside of this state under the provisions of division 3368  
(E) of section 5751.033 of the Revised Code or if it is later 3369  
determined that the person that operates the distribution center 3370  
had average monthly costs from its suppliers of less than forty 3371  
million dollars during that year, then the operator of the 3372  
distribution center shall pay the ineligible operator's supplier 3373  
tax liability. (For purposes of division (F)(2)(z)(ii) of this 3374  
section, "supplier" excludes any person that is part of the 3375  
consolidated elected taxpayer group, if applicable, of the 3376  
operator of the qualified distribution center.) 3377

(II) The commissioner may grant a qualifying certificate to a 3378  
distribution center that does not qualify as a qualified 3379  
distribution center for an entire qualifying period if the 3380  
operator of the distribution center demonstrates that the business 3381  
operations of the distribution center have changed or will change 3382  
such that the distribution center will qualify as a qualified 3383  
distribution center within thirty-six months after the date the 3384

operator first applies for a certificate. If, at the end of that 3385  
thirty-six-month period, the business operations of the 3386  
distribution center have not changed such that the distribution 3387  
center qualifies as a qualified distribution center, the operator 3388  
of the distribution center shall pay the ineligible operator's 3389  
supplier tax liability for each year that the distribution center 3390  
received a certificate but did not qualify as a qualified 3391  
distribution center. For each year the distribution center 3392  
receives a certificate under division (F)(2)(z)(ii)(II) of this 3393  
section, the distribution center shall pay all applicable fees 3394  
required under division (F)(2)(z) of this section and shall submit 3395  
an updated business plan showing the progress the distribution 3396  
center made toward qualifying as a qualified distribution center 3397  
during the preceding year. 3398

(III) An operator may appeal a determination under division 3399  
(F)(2)(z)(ii)(I) or (II) of this section that the ineligible 3400  
operator is liable for the operator's supplier tax liability as a 3401  
result of not qualifying as a qualified distribution center, as 3402  
provided in section 5717.02 of the Revised Code. 3403

(iii) When filing an application for a qualifying certificate 3404  
under division (F)(2)(z)(i)(VI) of this section, the operator of a 3405  
qualified distribution center also shall provide documentation, as 3406  
the commissioner requires, for the commissioner to ascertain the 3407  
Ohio delivery percentage. The commissioner, upon issuing the 3408  
qualifying certificate, also shall certify the Ohio delivery 3409  
percentage. The operator of the qualified distribution center may 3410  
appeal the commissioner's certification of the Ohio delivery 3411  
percentage in the same manner as an appeal is taken from the 3412  
denial of a qualifying certificate under division (F)(2)(z)(i)(VI) 3413  
of this section. 3414

(iv)(I) In the case where the distribution center is new and 3415  
not open for the entire qualifying period, the operator shall make 3416

a good faith estimate of an Ohio delivery percentage for use by 3417  
suppliers in their reports of taxable gross receipts for the 3418  
remainder of the qualifying period. The operator of the facility 3419  
shall disclose to the suppliers that such Ohio delivery percentage 3420  
is an estimate and is subject to recalculation. By the due date of 3421  
the next application for a qualifying certificate, the operator 3422  
shall determine the actual Ohio delivery percentage for the 3423  
estimated qualifying period and proceed as provided in division 3424  
(F)(2)(z)(iii) of this section with respect to the calculation and 3425  
recalculation of the Ohio delivery percentage. The supplier is 3426  
required to file, within sixty days after receiving notice from 3427  
the operator of the qualified distribution center, amended reports 3428  
for the impacted calendar quarter or quarters or calendar year, 3429  
whichever the case may be. Any additional tax liability or tax 3430  
overpayment shall be subject to interest but shall not be subject 3431  
to the imposition of any penalty so long as the amended returns 3432  
are timely filed. 3433

(II) The operator of a distribution center that receives a 3434  
qualifying certificate under division (F)(2)(z)(ii)(II) of this 3435  
section shall make a good faith estimate of the Ohio delivery 3436  
percentage that the operator estimates will apply to the 3437  
distribution center at the end of the thirty-six-month period 3438  
after the operator first applied for a qualifying certificate 3439  
under that division. The result of the estimate shall be 3440  
multiplied by a factor of one and seventy-five one-hundredths. The 3441  
product of that calculation shall be the Ohio delivery percentage 3442  
used by suppliers in their reports of taxable gross receipts for 3443  
each qualifying year that the distribution center receives a 3444  
qualifying certificate under division (F)(2)(z)(ii)(II) of this 3445  
section, except that, if the product is less than five per cent, 3446  
the Ohio delivery percentage used shall be five per cent and that, 3447  
if the product exceeds forty-nine per cent, the Ohio delivery 3448  
percentage used shall be forty-nine per cent. 3449

(v) Qualifying certificates and Ohio delivery percentages 3450  
issued by the commissioner shall be open to public inspection and 3451  
shall be timely published by the commissioner. A supplier relying 3452  
in good faith on a certificate issued under this division shall 3453  
not be subject to tax on the qualifying distribution center 3454  
receipts under division (F)(2)(z) of this section. An operator 3455  
receiving a qualifying certificate is liable for the ineligible 3456  
operator's supplier tax liability for each year the operator 3457  
received a certificate but did not qualify as a qualified 3458  
distribution center. 3459

(vi) The annual fee for a qualifying certificate shall be one 3460  
hundred thousand dollars for each qualified distribution center. 3461  
If a qualifying certificate is not issued, the annual fee is 3462  
subject to refund after the exhaustion of all appeals provided for 3463  
in division (F)(2)(z)(i)(VI) of this section. The first one 3464  
hundred thousand dollars of the annual application fees collected 3465  
each calendar year shall be credited to the revenue enhancement 3466  
fund. The remainder of the annual application fees collected shall 3467  
be distributed in the same manner required under section 5751.20 3468  
of the Revised Code. 3469

(vii) The tax commissioner may require that adequate security 3470  
be posted by the operator of the distribution center on appeal 3471  
when the commissioner disagrees that the applicant has met the 3472  
minimum thresholds for a qualified distribution center as set 3473  
forth in division (F)(2)(z) of this section. 3474

(aa) Receipts of an employer from payroll deductions relating 3475  
to the reimbursement of the employer for advancing moneys to an 3476  
unrelated third party on an employee's behalf; 3477

(bb) Cash discounts allowed and taken; 3478

(cc) Returns and allowances; 3479

(dd) Bad debts from receipts on the basis of which the tax 3480

imposed by this chapter was paid in a prior quarterly tax payment 3481  
period. For the purpose of this division, "bad debts" means any 3482  
debts that have become worthless or uncollectible between the 3483  
preceding and current quarterly tax payment periods, have been 3484  
uncollected for at least six months, and that may be claimed as a 3485  
deduction under section 166 of the Internal Revenue Code and the 3486  
regulations adopted under that section, or that could be claimed 3487  
as such if the taxpayer kept its accounts on the accrual basis. 3488  
"Bad debts" does not include repossessed property, uncollectible 3489  
amounts on property that remains in the possession of the taxpayer 3490  
until the full purchase price is paid, or expenses in attempting 3491  
to collect any account receivable or for any portion of the debt 3492  
recovered; 3493

(ee) Any amount realized from the sale of an account 3494  
receivable to the extent the receipts from the underlying 3495  
transaction giving rise to the account receivable were included in 3496  
the gross receipts of the taxpayer; 3497

(ff) Any receipts directly attributed to a transfer agreement 3498  
or to the enterprise transferred under that agreement under 3499  
section 4313.02 of the Revised Code. 3500

(gg)(i) As used in this division: 3501

(I) "Qualified uranium receipts" means receipts from the 3502  
sale, exchange, lease, loan, production, processing, or other 3503  
disposition of uranium within a uranium enrichment zone certified 3504  
by the tax commissioner under division (F)(2)(gg)(ii) of this 3505  
section. "Qualified uranium receipts" does not include any 3506  
receipts with a situs in this state outside a uranium enrichment 3507  
zone certified by the tax commissioner under division 3508  
(F)(2)(gg)(ii) of this section. 3509

(II) "Uranium enrichment zone" means all real property that 3510  
is part of a uranium enrichment facility licensed by the United 3511

States nuclear regulatory commission and that was or is owned or 3512  
controlled by the United States department of energy or its 3513  
successor. 3514

(ii) Any person that owns, leases, or operates real or 3515  
tangible personal property constituting or located within a 3516  
uranium enrichment zone may apply to the tax commissioner to have 3517  
the uranium enrichment zone certified for the purpose of excluding 3518  
qualified uranium receipts under division (F)(2)(gg) of this 3519  
section. The application shall include such information that the 3520  
tax commissioner prescribes. Within sixty days after receiving the 3521  
application, the tax commissioner shall certify the zone for that 3522  
purpose if the commissioner determines that the property qualifies 3523  
as a uranium enrichment zone as defined in division (F)(2)(gg) of 3524  
this section, or, if the tax commissioner determines that the 3525  
property does not qualify, the commissioner shall deny the 3526  
application or request additional information from the applicant. 3527  
If the tax commissioner denies an application, the commissioner 3528  
shall state the reasons for the denial. The applicant may appeal 3529  
the denial of an application to the board of tax appeals pursuant 3530  
to section 5717.02 of the Revised Code. If the applicant files a 3531  
timely appeal, the tax commissioner shall conditionally certify 3532  
the applicant's property. The conditional certification shall 3533  
expire when all of the applicant's appeals are exhausted. Until 3534  
final resolution of the appeal, the applicant shall retain the 3535  
applicant's records in accordance with section 5751.12 of the 3536  
Revised Code, notwithstanding any time limit on the preservation 3537  
of records under that section. 3538

(hh) In the case of amounts collected by a licensed casino 3539  
operator from casino gaming, amounts in excess of the casino 3540  
operator's gross casino revenue. In this division, "casino 3541  
operator" and "casino gaming" have the meanings defined in section 3542  
3772.01 of the Revised Code, and "gross casino revenue" has the 3543

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| meaning defined in section 5753.01 of the Revised Code.  | 3544   |
| (ii) Receipts realized from the sale of agricultural commodities by an agricultural commodity handler, both as defined in section 926.01 of the Revised Code, that is licensed by the director of agriculture to handle agricultural commodities in this state.  | 3545<br>3546<br>3547<br>3548<br>3549   |
| (jj) Qualifying integrated supply chain receipts.  | 3550   |
| As used in division (F)(2)(jj) of this section:  | 3551   |
| (i) "Qualifying integrated supply chain receipts" means receipts of a qualified integrated supply chain vendor from the sale of qualified property delivered to, or integrated supply chain services provided to, another qualified integrated supply chain vendor or to a retailer that is a member of the integrated supply chain. "Qualifying integrated supply chain receipts" does not include receipts of a person that is not a qualified integrated supply chain vendor from the sale of raw materials to a member of an integrated supply chain, or receipts of a member of an integrated supply chain from the sale of qualified property or integrated supply chain services to a person that is not a member of the integrated supply chain. | 3552<br>3553<br>3554<br>3555<br>3556<br>3557<br>3558<br>3559<br>3560<br>3561<br>3562<br>3563 |
| (ii) "Qualified property" means any of the following:  | 3564   |
| (I) Component parts used to hold, contain, package, or dispense qualified products, excluding equipment;   | 3565<br>3566   |
| (II) Work-in-process inventory that will become, comprise, or form a component part of a qualified product capable of being sold at retail, excluding equipment, machinery, furniture, and fixtures;   | 3567<br>3568<br>3569<br>3570   |
| (III) Finished goods inventory that is a qualified product capable of being sold at retail in the inventory's present form.  | 3571<br>3572   |
| (iii) "Qualified integrated supply chain vendor" means a   | 3573   |

person that is a member of an integrated supply chain and that 3574  
provides integrated supply chain services within a qualified 3575  
integrated supply chain district to a retailer that is a member of 3576  
the integrated supply chain or to another qualified integrated 3577  
supply chain vendor that is located within the same such district 3578  
as the person but does not share a common owner with that person. 3579

(iv) "Qualified product" means a personal care, health, or 3580  
beauty product or an aromatic product, including a candle. 3581  
"Qualified product" does not include a drug that may be dispensed 3582  
only pursuant to a prescription, durable medical equipment, 3583  
mobility enhancing equipment, or a prosthetic device, as those 3584  
terms are defined in section 5739.01 of the Revised Code. 3585

(v) "Integrated supply chain" means two or more qualified 3586  
integrated supply chain vendors certified on the most recent list 3587  
certified to the tax commissioner under this division that 3588  
systematically collaborate and coordinate business operations with 3589  
a retailer on the flow of tangible personal property from material 3590  
sourcing through manufacturing, assembly, packaging, and delivery 3591  
to the retailer to improve long-term financial performance of each 3592  
vendor and the supply chain that includes the retailer. 3593

For the purpose of the certification required under this 3594  
division, the reporting person for each retailer, on or before the 3595  
first day of October of each year, shall certify to the tax 3596  
commissioner a list of the qualified integrated supply chain 3597  
vendors providing or receiving integrated supply chain services 3598  
within a qualified integrated supply chain district for the 3599  
ensuing calendar year. On or before the following first day of 3600  
November, the commissioner shall issue a certificate to the 3601  
retailer and to each vendor certified to the commissioner on that 3602  
list. The certificate shall include the names of the retailer and 3603  
of the qualified integrated supply chain vendors. 3604

The retailer shall notify the commissioner of any changes to 3605

the list, including additions to or subtractions from the list or 3606  
changes in the name or legal entity of vendors certified on the 3607  
list, within sixty days after the date the retailer becomes aware 3608  
of the change. Within thirty days after receiving that 3609  
notification, the commissioner shall issue a revised certificate 3610  
to the retailer and to each vendor certified on the list. The 3611  
revised certificate shall include the effective date of the 3612  
change. 3613

Each recipient of a certificate issued pursuant to this 3614  
division shall maintain a copy of the certificate for four years 3615  
from the date the certificate was received. 3616

(vi) "Integrated supply chain services" means procuring raw 3617  
materials or manufacturing, processing, refining, assembling, 3618  
packaging, or repackaging tangible personal property that will 3619  
become finished goods inventory capable of being sold at retail by 3620  
a retailer that is a member of an integrated supply chain. 3621

(vii) "Retailer" means a person primarily engaged in making 3622  
retail sales and any member of that person's consolidated elected 3623  
taxpayer group or combined taxpayer group, whether or not that 3624  
member is primarily engaged in making retail sales. 3625

(viii) "Qualified integrated supply chain district" means the 3626  
parcel or parcels of land from which a retailer's integrated 3627  
supply chain that existed on September 29, 2015, provides or 3628  
receives integrated supply chain services, and to which all of the 3629  
following apply: 3630

(I) The parcel or parcels are located wholly in a county 3631  
having a population of greater than one hundred sixty-five 3632  
thousand but less than one hundred seventy thousand based on the 3633  
2010 federal decennial census. 3634

(II) The parcel or parcels are located wholly in the 3635  
corporate limits of a municipal corporation with a population 3636

greater than seven thousand five hundred and less than eight 3637  
thousand based on the 2010 federal decennial census that is partly 3638  
located in the county described in division (F)(2)(jj)(viii)(I) of 3639  
this section, as those corporate limits existed on September 29, 3640  
2015. 3641

(III) The aggregate acreage of the parcel or parcels equals 3642  
or exceeds one hundred acres. 3643

(kk) In the case of a railroad company described in division 3644  
(D)(9) of section 5727.01 of the Revised Code that purchases dyed 3645  
diesel fuel directly from a supplier as defined by section 5736.01 3646  
of the Revised Code, an amount equal to the product of the number 3647  
of gallons of dyed diesel fuel purchased directly from such a 3648  
supplier multiplied by the average wholesale price for a gallon of 3649  
diesel fuel as determined under section 5736.02 of the Revised 3650  
Code for the period during which the fuel was purchased multiplied 3651  
by a fraction, the numerator of which equals the rate of tax 3652  
levied by section 5736.02 of the Revised Code less the rate of tax 3653  
computed in section 5751.03 of the Revised Code, and the 3654  
denominator of which equals the rate of tax computed in section 3655  
5751.03 of the Revised Code. 3656

(ll) Any receipts for which the tax imposed by this chapter 3657  
is prohibited by the constitution or laws of the United States or 3658  
the constitution of this state. 3659

(3) In the case of a taxpayer when acting as a real estate 3660  
broker, "gross receipts" includes only the portion of any fee for 3661  
the service of a real estate broker, or service of a real estate 3662  
salesperson associated with that broker, that is retained by the 3663  
broker and not paid to an associated real estate salesperson or 3664  
another real estate broker. For the purposes of this division, 3665  
"real estate broker" and "real estate salesperson" have the same 3666  
meanings as in section 4735.01 of the Revised Code. 3667

(4) A taxpayer's method of accounting for gross receipts for a tax period shall be the same as the taxpayer's method of accounting for federal income tax purposes for the taxpayer's federal taxable year that includes the tax period. If a taxpayer's method of accounting for federal income tax purposes changes, its method of accounting for gross receipts under this chapter shall be changed accordingly.

(G) "Taxable gross receipts" means gross receipts situated to this state under section 5751.033 of the Revised Code.

(H) A person has "substantial nexus with this state" if any of the following applies. The person:

(1) Owns or uses a part or all of its capital in this state;

(2) Holds a certificate of compliance with the laws of this state authorizing the person to do business in this state;

(3) Has bright-line presence in this state;

(4) Otherwise has nexus with this state to an extent that the person can be required to remit the tax imposed under this chapter under the Constitution of the United States.

(I) A person has "bright-line presence" in this state for a reporting period and for the remaining portion of the calendar year if any of the following applies. The person:

(1) Has at any time during the calendar year property in this state with an aggregate value of at least fifty thousand dollars. For the purpose of division (I)(1) of this section, owned property is valued at original cost and rented property is valued at eight times the net annual rental charge.

(2) Has during the calendar year payroll in this state of at least fifty thousand dollars. Payroll in this state includes all of the following:

(a) Any amount subject to withholding by the person under

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| section 5747.06 of the Revised Code;  | 3698   |
| (b) Any other amount the person pays as compensation to an individual under the supervision or control of the person for work done in this state; and   | 3699<br>3700<br>3701   |
| (c) Any amount the person pays for services performed in this state on its behalf by another.   | 3702<br>3703   |
| (3) Has during the calendar year taxable gross receipts of at least five hundred thousand dollars.  | 3704<br>3705   |
| (4) Has at any time during the calendar year within this state at least twenty-five per cent of the person's total property, total payroll, or total gross receipts.  | 3706<br>3707<br>3708   |
| (5) Is domiciled in this state as an individual or for corporate, commercial, or other business purposes.   | 3709<br>3710   |
| (J) "Tangible personal property" has the same meaning as in section 5739.01 of the Revised Code.  | 3711<br>3712   |
| (K) "Internal Revenue Code" means the Internal Revenue Code of 1986, 100 Stat. 2085, 26 U.S.C. 1, as amended. Any term used in this chapter that is not otherwise defined has the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes unless a different meaning is clearly required. Any reference in this chapter to the Internal Revenue Code includes other laws of the United States relating to federal income taxes. | 3713<br>3714<br>3715<br>3716<br>3717<br>3718<br>3719<br>3720 |
| (L) "Calendar quarter" means a three-month period ending on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September, or the thirty-first day of December.  | 3721<br>3722<br>3723   |
| (M) "Tax period" means the calendar quarter or calendar year on the basis of which a taxpayer is required to pay the tax imposed under this chapter.  | 3724<br>3725<br>3726   |
| (N) "Calendar year taxpayer" means a taxpayer for which the   | 3727   |

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| tax period is a calendar year.   | 3728   |
| (O) "Calendar quarter taxpayer" means a taxpayer for which the tax period is a calendar quarter.   | 3729<br>3730   |
| (P) "Agent" means a person authorized by another person to act on its behalf to undertake a transaction for the other, including any of the following:   | 3731<br>3732<br>3733                                 |
| (1) A person receiving a fee to sell financial instruments;  | 3734   |
| (2) A person retaining only a commission from a transaction with the other proceeds from the transaction being remitted to another person;   | 3735<br>3736<br>3737                                 |
| (3) A person issuing licenses and permits under section 1533.13 of the Revised Code;   | 3738<br>3739   |
| (4) A lottery sales agent holding a valid license issued under section 3770.05 of the Revised Code;  | 3740<br>3741   |
| (5) A person acting as an agent of the division of liquor control under section 4301.17 of the Revised Code.   | 3742<br>3743   |
| (Q) "Received" includes amounts accrued under the accrual method of accounting.  | 3744<br>3745   |
| (R) "Reporting person" means a person in a consolidated elected taxpayer or combined taxpayer group that is designated by that group to legally bind the group for all filings and tax liabilities and to receive all legal notices with respect to matters under this chapter, or, for the purposes of section 5751.04 of the Revised Code, a separate taxpayer that is not a member of such a group. | 3746<br>3747<br>3748<br>3749<br>3750<br>3751<br>3752 |
| <b>Sec. 6301.11.</b> <u>The As used in this section, "public or private institution" has the same meaning as in section 3333.93 of the Revised Code.</u>   | 3753<br>3754<br>3755                                 |
| <u>The</u> state board, in connection with the department of job and   | 3756   |

family services and public or private institutions, shall develop 3757  
a methodology for identifying jobs that are in demand by employers 3758  
operating in this state. The methodology for identifying in-demand 3759  
jobs shall include an analysis of jobs that are in demand in each 3760  
region of the state. The director of job and family services shall 3761  
determine the regions. 3762

The department and the public or private institutions, in 3763  
consultation with the state board, shall use the methodology to 3764  
create a list of such in-demand jobs and in the state and a list 3765  
of such in-demand jobs in each region of the state. The department 3766  
shall publish the ~~list~~ lists on the web site of the department ~~on~~ 3767  
~~or before December 31, 2014.~~ The department and public or private 3768  
institutions shall periodically update the ~~list~~ lists to reflect 3769  
evolving workforce demands in this state and its regions. 3770

Local boards, workforce development agencies, and other 3771  
providers of workforce training shall use the ~~list~~ lists of 3772  
in-demand jobs to cultivate and prioritize workforce development 3773  
activities that correspond to the employment needs of employers 3774  
operating in this state and in each of its regions and to assist 3775  
individuals in maximizing their employment opportunities. 3776

**Section 101.02.** That existing sections 109.572, 124.386, 3777  
133.06, 135.182, 164.20, 189.10, 353.03, 1121.10, 1121.24, 3778  
1123.03, 1181.17, 3307.01, 3309.013, 3313.976, 3314.085, 3779  
3317.0216, 3318.71, 3319.271, 3335.361, 3702.59, 3721.03, 5104.01, 3780  
5104.03, 5705.2112, 5709.17, 5726.98, 5733.01, 5733.98, 5751.01, 3781  
and 6301.11 and sections 1121.29, 1155.13, 1163.16, 5726.51, and 3782  
5733.063 of the Revised Code are hereby repealed. 3783

**Section 125.10.** Section 3333.93 of the Revised Code is hereby 3784  
repealed, effective December 31, 2019. 3785

**Section 610.10.** That Sections 241.10, 259.10, 259.40, 263.10, 3786

263.280, 337.10, 337.30, 369.10, 369.314, 369.393, 369.470, 3787  
 371.10, 401.10, and 701.120 of Am. Sub. H.B. 64 of the 131st 3788  
 General Assembly be amended to read as follows: 3789

**Sec. 241.10. COM DEPARTMENT OF COMMERCE 3790**

Dedicated Purpose Fund Group 3791

4B20 800631 Real Estate Appraisal \$ 35,000 \$ 35,000 3792

Recovery

4H90 800608 Cemeteries \$ 274,080 \$ 278,352 3793

4X20 800619 Financial Institutions \$ 1,854,298 \$ 1,854,298 3794

5430 800602 Unclaimed \$ 7,764,160 \$ 7,779,076 3795

Funds-Operating

5430 800625 Unclaimed Funds-Claims \$ 64,000,000 \$ 64,000,000 3796

5440 800612 Banks \$ 6,867,039 \$ 6,885,074 3797

5450 800613 Savings Institutions \$ 2,464,495 \$ 2,533,005 3798

5460 800610 Fire Marshal \$ 17,153,766 \$ 16,746,648 3799

5460 800639 Fire Department Grants \$ 5,200,000 \$ 5,200,000 3800

5470 800603 Real Estate \$ 69,655 \$ 69,655 3801

Education/Research

5480 800611 Real Estate Recovery \$ 50,000 \$ 50,000 3802

5490 800614 Real Estate \$ 3,374,714 \$ 3,409,090 3803

5500 800617 Securities \$ 4,421,403 \$ 4,577,915 3804

5520 800604 Credit Union \$ 3,343,696 \$ 3,374,104 3805

5530 800607 Consumer Finance \$ 3,946,050 \$ 4,138,634 3806

5560 800615 Industrial Compliance \$ 27,882,765 \$ 28,318,049 3807

5F10 800635 Small Government Fire \$ 300,000 \$ 300,000 3808

Departments

5FW0 800616 Financial Literacy \$ 190,000 \$ 190,000 3809

Education

5GK0 800609 Securities Investor \$ 432,150 \$ 432,150 3810

Education/Enforcement

5HV0 800641 Cigarette Enforcement \$ 70,000 \$ 70,000 3811



that additional appropriation amounts are necessary to make such 3835  
payments, the Director of Commerce may request that the Director 3836  
of Budget and Management increase such amounts. Such amounts are 3837  
hereby appropriated. 3838

DIVISION OF REAL ESTATE AND PROFESSIONAL LICENSING 3839

The foregoing appropriation item 800631, Real Estate 3840  
Appraiser Recovery, shall be used to pay settlements, judgments, 3841  
and court orders under section 4763.16 of the Revised Code. If it 3842  
is determined by the Director of Commerce that additional 3843  
appropriation amounts are necessary to make such payments, the 3844  
Director of Commerce may request that the Director of Budget and 3845  
Management increase such amounts. Such amounts are hereby 3846  
appropriated. 3847

The foregoing appropriation item 800611, Real Estate 3848  
Recovery, shall be used to pay settlements, judgments, and court 3849  
orders under section 4735.12 of the Revised Code. If it is 3850  
determined by the Director of Commerce that additional 3851  
appropriation amounts are necessary to make such payments, the 3852  
Director of Commerce may request that the Director of Budget and 3853  
Management increase such amounts. Such amounts are hereby 3854  
appropriated. 3855

FIRE DEPARTMENT GRANTS 3856

Of the foregoing appropriation item 800639, Fire Department 3857  
Grants, \$500,000 in fiscal year 2016 shall be awarded to Jefferson 3858  
Township in Clinton County to build a new firehouse. 3859

Of the foregoing appropriation item 800639, Fire Department 3860  
Grants, up to \$5,200,000 in fiscal year 2016 and \$5,200,000 in 3861  
fiscal year 2017 shall be used to make annual grants to the 3862  
following eligible recipients: volunteer fire departments, fire 3863  
departments that serve one or more small municipalities or small 3864  
townships, joint fire districts comprised of fire departments that 3865

primarily serve small municipalities or small townships, local 3866  
units of government responsible for such fire departments, and 3867  
local units of government responsible for the provision of fire 3868  
protection services for small municipalities or small townships. 3869  
For the purposes of these grants, a private fire company, as that 3870  
phrase is defined in section 9.60 of the Revised Code, that is 3871  
providing fire protection services under a contract to a political 3872  
subdivision of the state, is an additional eligible recipient for 3873  
a training grant. 3874

Eligible recipients that consist of small municipalities or 3875  
small townships that all intend to contract with the same fire 3876  
department or private fire company for fire protection services 3877  
may jointly apply and be considered for a grant. If a joint 3878  
applicant is awarded a grant, the State Fire Marshal shall, if 3879  
feasible, proportionately award the grant and any equipment 3880  
purchased with grant funds to each of the joint applicants based 3881  
upon each applicant's contribution to and demonstrated need for 3882  
fire protection services. 3883

If the grant awarded to joint applicants is an equipment 3884  
grant and the equipment to be purchased cannot be readily 3885  
distributed or possessed by multiple recipients, each of the joint 3886  
applicants shall be awarded by the State Fire Marshal an ownership 3887  
interest in the equipment so purchased in proportion to each 3888  
applicant's contribution to and demonstrated need for fire 3889  
protection services. The joint applicants shall then mutually 3890  
agree on how the equipment is to be maintained, operated, stored, 3891  
or disposed of. If, for any reason, the joint applicants cannot 3892  
agree as to how jointly owned equipment is to be maintained, 3893  
operated, stored, or disposed of or any of the joint applicants no 3894  
longer maintain a contract with the same fire protection service 3895  
provider as the other applicants, then the joint applicants shall, 3896  
with the assistance of the State Fire Marshal, mutually agree as 3897

to how the jointly owned equipment is to be maintained, operated, 3898  
stored, disposed of, or owned. If the joint applicants cannot 3899  
agree how the grant equipment is to be maintained, operated, 3900  
stored, disposed of, or owned, the State Fire Marshal may, in its 3901  
discretion, require all of the equipment acquired by the joint 3902  
applicants with grant funds to be returned to the State Fire 3903  
Marshal. The State Fire Marshal may then award the returned 3904  
equipment to any eligible recipients. For this paragraph only, an 3905  
"equipment grant" also includes a MARCS Grant. 3906

Except as otherwise provided in this section, the grants 3907  
shall be used by recipients to purchase firefighting or rescue 3908  
equipment or gear or similar items, to provide full or partial 3909  
reimbursement for the documented costs of firefighter training, 3910  
or, at the discretion of the State Fire Marshal, to cover fire 3911  
department costs for providing fire protection services in that 3912  
grant recipient's jurisdiction. 3913

Of the foregoing appropriation item 800639, Fire Department 3914  
Grants, up to \$500,000 per fiscal year may be used to pay for the 3915  
State Fire Marshal's costs of providing firefighter I 3916  
certification classes or other firefighter classes approved by the 3917  
Department of Public Safety in accordance with section 4765.55 of 3918  
the Revised Code at no cost to selected students attending the 3919  
Ohio Fire Academy or other class providers approved by the State 3920  
Fire Marshal. The State Fire Marshal may establish the 3921  
qualifications and selection processes for students to attend such 3922  
classes by written policy, and such students shall be considered 3923  
eligible recipients of fire department grants for the purposes of 3924  
this portion of the grant program. 3925

For purposes of this section, a MARCS Grant is a grant for 3926  
systems, equipment, or services that are a part of, integrated 3927  
into, or otherwise interoperable with the Multi-Agency Radio 3928  
Communication System (MARCS) operated by the state. 3929

Of the foregoing appropriation item 800639, Fire Department 3930  
Grants, up to \$3,000,000 in each fiscal year may be used for MARCS 3931  
Grants. MARCS Grants may be used for the payment of user access 3932  
fees by the eligible recipient to access MARCS. 3933

MARCS Grant awards may be up to \$50,000 in each fiscal year 3934  
per eligible recipient. Each eligible recipient may only apply, as 3935  
a separate entity or as a part of a joint application, for one 3936  
MARCS Grant per fiscal year. The State Fire Marshal may give a 3937  
preference in the awarding of MARCS Grants to grants that will 3938  
enhance the overall interoperability and effectiveness of 3939  
emergency communication networks in the geographic region that 3940  
includes and that is adjacent to the applicant. Eligible 3941  
recipients that are or were awarded fire department grants that 3942  
are not MARCS Grants may also apply for and receive MARCS Grants 3943  
in accordance with criteria for the awarding of grant funds 3944  
established by the State Fire Marshal. 3945

Grant awards for firefighting or rescue equipment or gear or 3946  
for fire department costs of providing fire protection services 3947  
shall be up to \$15,000 per fiscal year, or up to \$25,000 per 3948  
fiscal year if an eligible entity serves a jurisdiction in which 3949  
the Governor declared a natural disaster during the preceding or 3950  
current fiscal year in which the grant was awarded. In addition to 3951  
any grant funds awarded for rescue equipment or gear, or for fire 3952  
department costs associated with the provision of fire protection 3953  
services, an eligible entity may receive a grant for up to \$15,000 3954  
per fiscal year for full or partial reimbursement of the 3955  
documented costs of firefighter training. For each fiscal year, 3956  
the State Fire Marshal shall determine the total amounts to be 3957  
allocated for each eligible purpose. 3958

The grant program shall be administered by the State Fire 3959  
Marshal in accordance with rules the State Fire Marshal adopts as 3960  
part of the state fire code adopted pursuant to section 3737.82 of 3961

the Revised Code that are necessary for the administration and 3962  
operation of the grant program. The rules may further define the 3963  
entities eligible to receive grants and establish criteria for the 3964  
awarding and expenditure of grant funds, including methods the 3965  
State Fire Marshal may use to verify the proper use of grant funds 3966  
or to obtain reimbursement for or the return of equipment for 3967  
improperly used grant funds. To the extent consistent with this 3968  
section and until such time as the rules are updated, the existing 3969  
rules in the state fire code adopted pursuant to section 3737.82 3970  
of the Revised Code for fire department grants under this section 3971  
apply to MARCS Grants. Any amounts in appropriation item 800639, 3972  
Fire Department Grants, in excess of the amount allocated for 3973  
these grants may be used for the administration of the grant 3974  
program. 3975

CASH TRANSFERS TO DIVISION OF REAL ESTATE OPERATING FUND 3976

Upon the written request of the Director of Commerce, the 3977  
Director of Budget and Management may transfer up to \$500,000 in 3978  
cash from the Real Estate Recovery Fund (Fund 5480) and up to 3979  
\$250,000 in cash from the Real Estate Appraiser Recovery Fund 3980  
(Fund 4B20) to the Division of Real Estate Operating Fund (Fund 3981  
5490) during the biennium ending June 30, 2017. 3982

UNCLAIMED FUNDS TRANSFER TO BANKS FUND AND SAVINGS 3983

INSTITUTIONS FUND 3984

Notwithstanding division (A) of section 169.05 of the Revised 3985  
Code, upon the request of the Director of Budget and Management, 3986  
the Director of Commerce may transfer up to \$9,300,000 in fiscal 3987  
year 2016 and \$10,300,000 in fiscal year 2017 of unclaimed funds 3988  
that have been reported by holders of unclaimed funds under 3989  
section 169.05 of the Revised Code to the Banks Fund (Fund 5440) 3990  
or the Savings Institutions Fund (Fund 5450) as needed during the 3991  
biennium ending June 30, 2017. These cash transfers may be made to 3992  
supplement amounts in Fund 5440 and Fund 5450 that are available 3993

|   |      |
|---|------|
| <u>for the oversight of bank organizations.</u>                           | 3994 |
| <u>REFUND OF ASSESSMENTS TO BANKS AND SAVINGS INSTITUTIONS</u>            | 3995 |
| <u>On or after the effective date of the repeal or amendment by</u>       | 3996 |
| <u>this act of provisions related to the assessment on banks and</u>      | 3997 |
| <u>savings institutions, the Department of Commerce shall refund any</u>  | 3998 |
| <u>assessments related to those provisions collected after January 1,</u> | 3999 |
| <u>2015, from the Banks Fund (Fund 5440) or the Savings Institutions</u>  | 4000 |
| <u>Fund (Fund 5450). Refunds shall be equal to the amount assessed.</u>   | 4001 |
| <u>Notwithstanding any provision of law to the contrary, the</u>          | 4002 |
| <u>Department of Commerce shall not assess or collect any additional</u>  | 4003 |
| <u>assessments or fees related to the former provisions as amended by</u> | 4004 |
| <u>this act. Upon the completion of all refunds required under this</u>   | 4005 |
| <u>section, the Director of Commerce shall certify the total amounts</u>  | 4006 |
| <u>refunded to the Director of Budget and Management. The Director of</u> | 4007 |
| <u>Budget and Management may increase the fiscal year 2016</u>            | 4008 |
| <u>appropriations in the Banks Fund (Fund 5440) or the Savings</u>        | 4009 |
| <u>Institutions Fund (Fund 5450) up to the amounts certified as</u>       | 4010 |
| <u>necessary.</u>   | 4011 |
| <u>CASH TRANSFER TO SMALL GOVERNMENT FIRE DEPARTMENT SERVICES</u>         | 4012 |
| <u>REVOLVING LOAN FUND</u>  | 4013 |
| <u>Upon the written request of the Director of Commerce, the</u>          | 4014 |
| <u>Director of Budget and Management may transfer up to \$300,000 in</u>  | 4015 |
| <u>cash from the State Fire Marshal Fund (Fund 5460) to the Small</u>     | 4016 |
| <u>Government Fire Department Services Revolving Loan Fund (Fund</u>      | 4017 |
| <u>5F10) during the biennium ending June 30, 2017.</u>                    | 4018 |
| <u>ADMINISTRATIVE ASSESSMENTS</u>   | 4019 |
| <u>Notwithstanding any other provision of law to the contrary,</u>        | 4020 |
| <u>the Division of Administration Fund (Fund 1630) is entitled to</u>     | 4021 |
| <u>receive assessments from all operating funds of the Department in</u>  | 4022 |
| <u>accordance with procedures prescribed by the Director of Commerce</u>  | 4023 |
| <u>and approved by the Director of Budget and Management.</u>             | 4024 |

|      |                     |  |    |  |   |      |
|------|---------------------|--|----|--|---|------|
|      | <b>Sec. 259.10.</b> | DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES                     |    |  | 4025  |      |
|      |                     | General Revenue Fund   |    |  | 4026  |      |
| GRF  | 320321              | Central Administration   | \$ | 164,750                                      | \$ 164,750                                      | 4027 |
| GRF  | 320412              | Protective Services  | \$ | 2,418,196                                    | \$ 2,418,196                                    | 4028 |
| GRF  | 320415              | Developmental Disabilities Facilities Lease Rental Bond Payments | \$ | 20,817,900                                   | \$ 19,902,200                                   | 4029 |
| GRF  | 322420              | Screening and Early Intervention                                 | \$ | 808,500                                      | \$ 808,500                                      | 4030 |
| GRF  | 322451              | Family Support Services  | \$ | <del>5,982,758</del><br><u>5,932,758</u>     | \$ <del>5,982,758</del><br><u>5,932,758</u>     | 4031 |
| GRF  | 322501              | County Boards Subsidies  | \$ | 44,149,280                                   | \$ 44,149,280                                   | 4032 |
| GRF  | 322503              | Tax Equity   | \$ | 14,000,000                                   | \$ 14,000,000                                   | 4033 |
| GRF  | 322507              | County Board Case Management                                     | \$ | 2,500,000                                    | \$ 2,500,000                                    | 4034 |
| GRF  | 322508              | Employment First Initiative                                      | \$ | 5,800,000                                    | \$ 5,800,000                                    | 4035 |
| GRF  | 322509              | Community Supports & Rental Assistance                           | \$ | 750,000                                      | \$ 750,000                                      | 4036 |
| GRF  | 653321              | Medicaid Program Support - State                                 | \$ | 6,186,694                                    | \$ 6,186,694                                    | 4037 |
| GRF  | 653407              | Medicaid Services  | \$ | 482,137,300                                  | \$ 543,467,830                                  | 4038 |
|      | TOTAL GRF           | General Revenue Fund   | \$ | <del>585,715,378</del><br><u>585,665,378</u> | \$ <del>646,130,208</del><br><u>646,080,208</u> | 4039 |
|      |                     | Dedicated Purpose Fund Group                                     |    |  |   | 4040 |
| 5GE0 | 320606              | Operating and Services   | \$ | 10,107,297                                   | \$ 10,107,297                                   | 4041 |
| 5QM0 | 320607              | System Transformation  | \$ | 4,500,000                                    | \$ 3,000,000                                    | 4042 |

|           |        |                                      |    |             |    |                  |
|-----------|--------|--------------------------------------|----|-------------|----|------------------|
|           |        | Supports                             |    |             |    |                  |
| 2210      | 322620 | Supplement Service                   | \$ | 150,000     | \$ | 150,000 4043     |
|           |        | Trust                                |    |             |    |                  |
| 5DJ0      | 322625 | Targeted Case                        | \$ | 38,000,000  | \$ | 43,000,000 4044  |
|           |        | Management Match                     |    |             |    |                  |
| 5DK0      | 322629 | Capital Replacement                  | \$ | 750,000     | \$ | 750,000 4045     |
|           |        | Facilities                           |    |             |    |                  |
| 5H00      | 322619 | Medicaid Repayment                   | \$ | 160,000     | \$ | 160,000 4046     |
| 5JX0      | 322651 | Interagency Workgroup                | \$ | 25,000      |    | 25,000 4047      |
|           |        | - Autism                             |    |             |    |                  |
| 4890      | 653632 | DC Direct Care                       | \$ | 10,050,000  | \$ | 10,050,000 4048  |
|           |        | Services                             |    |             |    |                  |
| 5CT0      | 653607 | Intensive Behavioral                 | \$ | 1,000,000   | \$ | 1,000,000 4049   |
|           |        | Needs                                |    |             |    |                  |
| 5DJ0      | 653626 | Targeted Case                        | \$ | 101,000,000 | \$ | 113,000,000 4050 |
|           |        | Management Services                  |    |             |    |                  |
| 5EV0      | 653627 | Medicaid Program                     | \$ | 1,500,000   | \$ | 1,500,000 4051   |
|           |        | Support                              |    |             |    |                  |
| 5GE0      | 653606 | ICF/IID and Waiver                   | \$ | 37,682,901  | \$ | 37,575,865 4052  |
|           |        | Match                                |    |             |    |                  |
| 5S20      | 653622 | Medicaid Admin and                   | \$ | 19,032,154  | \$ | 19,032,154 4053  |
|           |        | Oversight                            |    |             |    |                  |
| 5Z10      | 653624 | County Board Waiver                  | \$ | 382,814,610 | \$ | 426,207,065 4054 |
|           |        | Match                                |    |             |    |                  |
| TOTAL DPF |        | Dedicated Purpose Fund               | \$ | 606,771,962 | \$ | 665,557,381 4055 |
|           |        | Group                                |    |             |    |                  |
|           |        | Internal Service Activity Fund Group |    |             |    | 4056             |
| 1520      | 653609 | DC and Residential                   | \$ | 11,000,000  | \$ | 11,000,000 4057  |
|           |        | Operating Services                   |    |             |    |                  |
| TOTAL ISA |        | Internal Service Activity            |    |             |    | 4058             |
|           |        | Fund Group                           | \$ | 11,000,000  | \$ | 11,000,000 4059  |
|           |        | Federal Fund Group                   |    |             |    | 4060             |

|                              |                    |  |    |                          |    |                          |      |
|------------------------------|--------------------|--|----|--------------------------|----|--------------------------|------|
| 3A50                         | 320613             | DD Council                                 | \$ | 3,324,187                | \$ | 3,324,187                | 4061 |
| 3250                         | 322612             | Community Social<br>Service Programs       | \$ | 10,604,896               | \$ | 10,604,896               | 4062 |
| 3A40                         | 653604             | DC & ICF/IID Program<br>Support            | \$ | 8,013,611                | \$ | 8,013,611                | 4063 |
| 3A40                         | 653605             | DC and Residential<br>Services and Support | \$ | 118,423,968              | \$ | 110,604,417              | 4064 |
| 3A40                         | 653653             | ICF/IID                                    | \$ | 357,362,616              | \$ | 356,283,407              | 4065 |
| 3G60                         | 653639             | Medicaid Waiver<br>Services                | \$ | 1,019,289,925            | \$ | 1,180,039,348            | 4066 |
| 3G60                         | 653640             | Medicaid Waiver<br>Program Support         | \$ | 46,525,638               | \$ | 47,225,486               | 4067 |
| 3M70                         | 653650             | CAFS Medicaid                              | \$ | 3,000,000                | \$ | 3,000,000                | 4068 |
| TOTAL FED                    | Federal Fund Group |  | \$ | 1,566,544,841            | \$ | 1,719,095,352            | 4069 |
| TOTAL ALL BUDGET FUND GROUPS |                    |  | \$ | <del>2,770,032,181</del> | \$ | <del>3,041,782,941</del> | 4070 |
|                              |                    |  |    | <u>2,769,982,181</u>     |    | <u>3,041,732,941</u>     |      |

**Sec. 259.40. FAMILY SUPPORT SERVICES SUBSIDY** 4072

The foregoing appropriation item 322451, Family Support 4073  
 Services, may be used as follows in fiscal year 2016 and fiscal 4074  
 year 2017: 4075

(A) The appropriation item may be used to provide a subsidy 4076  
 to county boards of developmental disabilities for family support 4077  
 services provided under section 5126.11 of the Revised Code. The 4078  
 subsidy shall be paid in quarterly installments and allocated to 4079  
 county boards according to a formula the Director of Developmental 4080  
 Disabilities shall develop in consultation with representatives of 4081  
 county boards. A county board shall use not more than seven per 4082  
 cent of its subsidy for administrative costs. 4083

(B) The appropriation item may be used to distribute funds to 4084  
 county boards for the purpose of addressing economic hardships and 4085  
 to promote efficiency of operations. In consultation with 4086

representatives of county boards, the Director shall determine the amount of funds to distribute for these purposes and the criteria for distributing the funds.

~~(C) Of the foregoing appropriation item 322451, Family Support Services, \$50,000 in each fiscal year shall be provided to the Beck Center for the Performing Arts.~~

**Sec. 263.10. EDU DEPARTMENT OF EDUCATION**

General Revenue Fund

|            |  |    |            |    |            |  |
|------------|--|----|------------|----|------------|--|
| GRF 200321 | Operating Expenses                             | \$ | 13,967,708 | \$ | 14,267,708 |  |
| GRF 200408 | Early Childhood Education                      | \$ | 60,268,341 | \$ | 70,268,341 |  |
| GRF 200420 | Information Technology Development and Support | \$ | 3,841,296  | \$ | 3,841,296  |  |
| GRF 200421 | Alternative Education Programs                 | \$ | 10,753,998 | \$ | 10,753,998 |  |
| GRF 200422 | School Management Assistance                   | \$ | 3,000,000  | \$ | 3,000,000  |  |
| GRF 200424 | Policy Analysis                                | \$ | 428,558    | \$ | 428,558    |  |
| GRF 200425 | Tech Prep Consortia Support                    | \$ | 260,542    | \$ | 260,542    |  |
| GRF 200426 | Ohio Educational Computer Network              | \$ | 16,200,000 | \$ | 16,200,000 |  |
| GRF 200427 | Academic Standards                             | \$ | 3,800,000  | \$ | 3,800,000  |  |
| GRF 200437 | Student Assessment                             | \$ | 60,241,438 | \$ | 59,830,050 |  |
| GRF 200439 | Accountability/Report Cards                    | \$ | 4,897,310  | \$ | 4,897,310  |  |
| GRF 200442 | Child Care Licensing                           | \$ | 1,822,500  | \$ | 1,822,500  |  |
| GRF 200446 | Education Management Information System        | \$ | 6,833,070  | \$ | 6,833,070  |  |
| GRF 200447 | GED Testing                                    | \$ | 324,000    | \$ | 324,000    |  |

|                                |   |    |  |    |  |      |
|--------------------------------|---|----|--|----|--|------|
| GRF 200448                     | Educator Preparation                              | \$ | 1,689,237  | \$ | 1,689,237  | 4109 |
| GRF 200455                     | Community Schools and<br>Choice Programs          | \$ | 3,651,395  | \$ | 3,731,395  | 4110 |
| GRF 200457                     | STEM Initiatives                                  | \$ | 150,000  | \$ | 0  | 4111 |
| GRF 200465                     | Education Technology<br>Resources                 | \$ | 3,170,976  | \$ | 3,170,976  | 4112 |
| GRF 200502                     | Pupil Transportation                              | \$ | 567,723,920                                      | \$ | 603,486,409                                      | 4113 |
| GRF 200505                     | School Lunch Match                                | \$ | 9,100,000  | \$ | 9,100,000  | 4114 |
| GRF 200511                     | Auxiliary Services                                | \$ | 144,254,342                                      | \$ | 149,909,112                                      | 4115 |
| GRF 200532                     | Nonpublic<br>Administrative Cost<br>Reimbursement | \$ | 65,165,374                                       | \$ | 67,719,856                                       | 4116 |
| GRF 200540                     | Special Education<br>Enhancements                 | \$ | 162,871,292                                      | \$ | 162,871,292                                      | 4117 |
| GRF 200545                     | Career-Technical<br>Education Enhancements        | \$ | 11,922,418                                       | \$ | 11,947,418                                       | 4118 |
| GRF 200550                     | Foundation Funding                                | \$ | 6,398,844,920                                    | \$ | 6,655,755,799                                    | 4119 |
| GRF 200566                     | Literacy Improvement                              | \$ | 750,000  | \$ | 750,000  | 4120 |
| GRF 200572                     | Adult Diploma                                     | \$ | 3,750,000  | \$ | 5,000,000  | 4121 |
| GRF 200573                     | EdChoice Expansion                                | \$ | 23,500,000                                       | \$ | 31,500,000                                       | 4122 |
| GRF 200574                     | Half-Mill Maintenance<br>Equalization             | \$ | 18,750,000                                       | \$ | 19,250,000                                       | 4123 |
| GRF 200576                     | Adaptive Sports<br>Program                        | \$ | 50,000   | \$ | 50,000   | 4124 |
| GRF 200588                     | Competency Based<br>Education Pilot               | \$ | 1,000,000  | \$ | 1,000,000  | 4125 |
| GRF 200597                     | Education Program<br>Support                      | \$ | <del>2,250,000</del><br><u>2,750,000</u>         | \$ | <del>2,000,000</del><br><u>2,500,000</u>         | 4126 |
| TOTAL GRF General Revenue Fund |   | \$ | <del>7,605,232,635</del><br><u>7,605,732,635</u> | \$ | <del>7,925,458,867</del><br><u>7,925,958,867</u> | 4127 |
| Dedicated Purpose Fund Group   |   |    |  |    |  | 4128 |
| 4520 200638                    | Fees and Refunds                                  | \$ | 1,000,000  | \$ | 1,000,000  | 4129 |
| 4540 200610                    | GED Testing                                       | \$ | 250,000  | \$ | 250,000  | 4130 |



|      |        |                         |    |               |    |               |      |
|------|--------|-------------------------|----|---------------|----|---------------|------|
| 7017 | 200612 | Foundation Funding      | \$ | 987,650,000   | \$ | 1,042,700,000 | 4149 |
| 7017 | 200629 | Community Connectors    | \$ | 10,000,000    | \$ | 10,000,000    | 4150 |
| 7017 | 200684 | Community School        | \$ | 14,900,000    | \$ | 20,700,000    | 4151 |
|      |        | Facilities              |    |               |    |               |      |
|      |        | TOTAL SLF State Lottery |    |               |    |               | 4152 |
|      |        | Fund Group              | \$ | 1,012,550,000 | \$ | 1,073,400,000 | 4153 |
|      |        | Federal Fund Group      |    |               |    |               | 4154 |
| 3090 | 200601 | Neglected and           | \$ | 1,600,000     | \$ | 1,600,000     | 4155 |
|      |        | Delinquent Education    |    |               |    |               |      |
| 3670 | 200607 | School Food Services    | \$ | 9,240,111     | \$ | 9,794,517     | 4156 |
| 3700 | 200624 | Education of            | \$ | 1,702,040     | \$ | 1,274,040     | 4157 |
|      |        | Exceptional Children    |    |               |    |               |      |
| 3AF0 | 200603 | Schools Medicaid        | \$ | 750,000       | \$ | 750,000       | 4158 |
|      |        | Administrative Claims   |    |               |    |               |      |
| 3AN0 | 200671 | School Improvement      | \$ | 32,400,000    | \$ | 32,400,000    | 4159 |
|      |        | Grants                  |    |               |    |               |      |
| 3C50 | 200661 | Early Childhood         | \$ | 14,554,749    | \$ | 14,554,749    | 4160 |
|      |        | Education               |    |               |    |               |      |
| 3CG0 | 200646 | Teacher Incentive       | \$ | 12,500,000    | \$ | 200,000       | 4161 |
| 3D10 | 200664 | Drug Free Schools       | \$ | 521,000       | \$ | 282,000       | 4162 |
| 3D20 | 200667 | Math Science            | \$ | 7,500,000     | \$ | 7,500,000     | 4163 |
|      |        | Partnerships            |    |               |    |               |      |
| 3EH0 | 200620 | Migrant Education       | \$ | 2,900,000     | \$ | 2,900,000     | 4164 |
| 3EJ0 | 200622 | Homeless Children       | \$ | 2,600,000     | \$ | 2,600,000     | 4165 |
|      |        | Education               |    |               |    |               |      |
| 3EK0 | 200637 | Advanced Placement      | \$ | 432,444       | \$ | 498,484       | 4166 |
| 3FD0 | 200665 | Race to the Top         | \$ | 12,000,000    | \$ | 0             | 4167 |
| 3FN0 | 200672 | Early Learning          | \$ | 8,000,000     | \$ | 3,400,000     | 4168 |
|      |        | Challenge - Race to     |    |               |    |               |      |
|      |        | the Top                 |    |               |    |               |      |
| 3GE0 | 200674 | Summer Food Service     | \$ | 14,423,915    | \$ | 14,856,635    | 4169 |
|      |        | Program                 |    |               |    |               |      |
| 3GF0 | 200675 | Miscellaneous           | \$ | 3,000,000     | \$ | 3,000,000     | 4170 |

|                              |                    |   |    |                           |    |                                |
|------------------------------|--------------------|---|----|---------------------------|----|--------------------------------|
|                              |                    | Nutrition Grants                                  |    |                           |    |                                |
| 3GG0                         | 200676             | Fresh Fruit and<br>Vegetable Program              | \$ | 5,026,545                 | \$ | 5,177,340 4171                 |
| 3GP0                         | 200600             | School Climate<br>Transformation                  | \$ | 252,420                   | \$ | 252,420 4172                   |
| 3GQ0                         | 200679             | Project Aware                                     | \$ | 1,907,423                 | \$ | 1,907,423 4173                 |
| 3H90                         | 200605             | Head Start<br>Collaboration Project               | \$ | 225,000                   | \$ | 225,000 4174                   |
| 3L60                         | 200617             | Federal School Lunch                              | \$ | 371,960,060               | \$ | 383,118,860 4175               |
| 3L70                         | 200618             | Federal School<br>Breakfast                       | \$ | 117,332,605               | \$ | 122,025,909 4176               |
| 3L80                         | 200619             | Child/Adult Food<br>Programs                      | \$ | 113,508,500               | \$ | 116,913,755 4177               |
| 3L90                         | 200621             | Career-Technical<br>Education Basic Grant         | \$ | 44,663,900                | \$ | 44,663,900 4178                |
| 3M00                         | 200623             | ESEA Title 1A                                     | \$ | 590,000,000               | \$ | 600,000,000 4179               |
| 3M20                         | 200680             | Individuals with<br>Disabilities<br>Education Act | \$ | 444,000,000               | \$ | 445,000,000 4180               |
| 3Y20                         | 200688             | 21st Century<br>Community Learning<br>Centers     | \$ | 50,000,000                | \$ | 50,000,000 4181                |
| 3Y60                         | 200635             | Improving Teacher<br>Quality                      | \$ | 90,000,000                | \$ | 90,000,000 4182                |
| 3Y70                         | 200689             | English Language<br>Acquisition                   | \$ | 10,101,411                | \$ | 10,101,411 4183                |
| 3Y80                         | 200639             | Rural and Low Income<br>Technical Assistance      | \$ | 3,300,000                 | \$ | 3,300,000 4184                 |
| 3Z20                         | 200690             | State Assessments                                 | \$ | 10,263,000                | \$ | 10,263,000 4185                |
| 3Z30                         | 200645             | Consolidated Federal<br>Grant Administration      | \$ | 10,000,000                | \$ | 10,000,000 4186                |
| TOTAL FED                    | Federal Fund Group |   | \$ | 1,986,665,123             | \$ | 1,988,559,443 4187             |
| TOTAL ALL BUDGET FUND GROUPS |                    |   | \$ | <del>10,749,489,177</del> | \$ | <del>11,148,050,910</del> 4188 |

10,755,889,177 11,114,250,910

**Sec. 263.280. COMPETENCY-BASED EDUCATION PILOT** 4190

The foregoing appropriation item 200588, Competency-Based 4191  
Education Pilot, shall be used by the Department of Education to 4192  
fund competency-based education pilot programs in up to five 4193  
districts, schools, or consortia of districts and schools led by 4194  
educational service centers. The Department shall award each 4195  
district, school, or consortium of districts and schools led by 4196  
educational service centers that is selected to participate in the 4197  
program a grant of up to \$200,000 for each fiscal year. The grant 4198  
shall be used during the 2015-2016 and 2016-2017 school years to 4199  
plan for implementing competency-based education in the district, 4200  
school, or consortium of districts and schools led by educational 4201  
service centers during the 2016-2017, 2017-2018, and 2018-2019 4202  
school years. Pilot programs shall adhere to program guidelines as 4203  
outlined in Section 733.30 of this act. 4204

Of the foregoing appropriation item 200588, Competency-Based 4205  
Education Pilot, a portion may be used by the Superintendent of 4206  
Public Instruction to provide technical assistance and to 4207  
administer the program. 4208

**EDUCATION PROGRAM SUPPORT** 4209

Of the foregoing appropriation item 200597, Education Program 4210  
Support, \$2,000,000 in each fiscal year shall be distributed to 4211  
Teach For America to increase recruitment of potential corps 4212  
members at select Ohio universities, train and develop first-year 4213  
and second-year teachers in the Teach for America program in Ohio, 4214  
and expand alumni support and networking within the state. 4215

Of the foregoing appropriation item 200597, Education Program 4216  
Support, \$500,000 in each fiscal year shall be used to support the 4217  
Supporting Partnerships to Assure Ready Kids (SPARK) program in 4218  
Ohio. 4219

Of the foregoing appropriation item 200597, Education Program 4220  
Support, \$250,000 in fiscal year 2016 shall be distributed to 4221  
Artsin Stark to support the SmArts Program and the Genius Project. 4222

**Sec. 337.10. DNR DEPARTMENT OF NATURAL RESOURCES** 4223

General Revenue Fund 4224

GRF 725401 Division of \$ 1,800,000 \$ 1,800,000 4225  
Wildlife-Operating  
Subsidy

GRF 725413 Parks and Recreational \$ 23,239,600 \$ 24,655,600 4226  
Facilities Lease  
Rental Bond Payments

GRF 725456 Canal Lands \$ 135,000 \$ 135,000 4227

GRF 725502 Soil and Water \$ 3,250,000 \$ 0 4228  
Districts

GRF 725505 Healthy Lake Erie \$ 1,000,000 \$ 1,000,000 4229  
Program

GRF 725507 Coal and Mine Safety \$ 2,600,000 \$ 2,700,000 4230  
Program

GRF 725510 Indian Lake Watershed \$ 125,000 \$ 0 4231  
Project

GRF 725512 Portage County \$ 150,000 \$ 150,000 4232  
Stormwater

GRF 725903 Natural Resources \$ 27,079,900 \$ 26,074,400 4233  
General Obligation  
Bond Debt Service

GRF 727321 Division of Forestry \$ 4,467,001 \$ 4,542,001 4234

GRF 729321 Office of Information \$ 177,405 \$ 177,405 4235  
Technology

GRF 730321 Division of Parks and \$ 30,000,000 \$ 30,000,000 4236  
Recreation

GRF 736321 Division of \$ 2,324,736 \$ 2,324,736 4237

|           |                      |                              |    |                        |    |                 |
|-----------|----------------------|------------------------------|----|------------------------|----|-----------------|
|           |                      | Engineering                  |    |                        |    |                 |
| GRF       | 737321               | Division of Soil and         | \$ | 2,899,952              | \$ | 1,013,652 4238  |
|           |                      | Water Resources              |    |                        |    |                 |
| GRF       | 738321               | Division of Real             | \$ | 670,342                | \$ | 670,342 4239    |
|           |                      | Estate and Land              |    |                        |    |                 |
|           |                      | Management                   |    |                        |    |                 |
| GRF       | 741321               | Division of Natural          | \$ | 1,200,000              | \$ | 1,200,000 4240  |
|           |                      | Areas and Preserves          |    |                        |    |                 |
| TOTAL GRF | General Revenue Fund |                              | \$ | <del>100,993,936</del> | \$ | 96,443,136 4241 |
|           |                      |                              |    | <u>101,118,936</u>     |    | 4242            |
|           |                      | Dedicated Purpose Fund Group |    |                        |    | 4243            |
| 2270      | 725406               | Parks Projects               | \$ | 685,098                | \$ | 696,995 4244    |
|           |                      | Personnel                    |    |                        |    |                 |
| 4300      | 725671               | Canal Lands                  | \$ | 883,879                | \$ | 883,879 4245    |
| 4J20      | 725628               | Injection Well Review        | \$ | 128,466                | \$ | 128,466 4246    |
| 4M70      | 725686               | Wildfire Suppression         | \$ | 100,000                | \$ | 100,000 4247    |
| 4S90      | 725622               | NatureWorks Personnel        | \$ | 818,618                | \$ | 833,076 4248    |
| 4U60      | 725668               | Scenic Rivers                | \$ | 100,000                | \$ | 100,000 4249    |
|           |                      | Protection                   |    |                        |    |                 |
| 5090      | 725602               | State Forest                 | \$ | 6,879,410              | \$ | 6,880,148 4250  |
| 5110      | 725646               | Ohio Geological              | \$ | 1,400,000              | \$ | 1,800,000 4251  |
|           |                      | Mapping                      |    |                        |    |                 |
| 5120      | 725605               | State Parks Operations       | \$ | 31,471,044             | \$ | 31,471,044 4252 |
| 5140      | 725606               | Lake Erie Shoreline          | \$ | 1,559,583              | \$ | 1,559,583 4253  |
| 5160      | 725620               | Water Management             | \$ | 2,559,291              | \$ | 2,559,291 4254  |
| 5180      | 725643               | Oil and Gas Regulation       | \$ | 19,193,271             | \$ | 19,444,876 4255 |
|           |                      | and Safety                   |    |                        |    |                 |
| 5180      | 725677               | Oil and Gas Well             | \$ | 3,000,000              | \$ | 3,000,000 4256  |
|           |                      | Plugging                     |    |                        |    |                 |
| 5210      | 725627               | Off-Road Vehicle             | \$ | 143,490                | \$ | 143,490 4257    |
|           |                      | Trails                       |    |                        |    |                 |
| 5220      | 725656               | Natural Areas and            | \$ | 546,639                | \$ | 546,639 4258    |
|           |                      | Preserves                    |    |                        |    |                 |

|      |        |  |    |            |    |            |      |
|------|--------|--|----|------------|----|------------|------|
| 5260 | 725610 | Strip Mining<br>Administration Fee       | \$ | 2,977,956  | \$ | 2,977,955  | 4259 |
| 5270 | 725637 | Surface Mining<br>Administration         | \$ | 1,681,153  | \$ | 1,681,154  | 4260 |
| 5290 | 725639 | Unreclaimed Lands                        | \$ | 1,804,180  | \$ | 1,804,180  | 4261 |
| 5310 | 725648 | Reclamation Forfeiture                   | \$ | 500,000    | \$ | 500,000    | 4262 |
| 5B30 | 725674 | Mining Regulation                        | \$ | 28,135     | \$ | 28,135     | 4263 |
| 5BV0 | 725658 | Heidelberg Water<br>Quality Lab          | \$ | 125,000    | \$ | 0          | 4264 |
| 5BV0 | 725683 | Soil and Water<br>Districts              | \$ | 4,000,000  | \$ | 0          | 4265 |
| 5EL0 | 725612 | Wildlife Law<br>Enforcement              | \$ | 12,000     | \$ | 12,000     | 4266 |
| 5EM0 | 725613 | Park Law Enforcement                     | \$ | 34,000     | \$ | 34,000     | 4267 |
| 5EN0 | 725614 | Watercraft Law<br>Enforcement            | \$ | 7,500      | \$ | 7,500      | 4268 |
| 5HK0 | 725625 | Ohio Nature Preserves                    | \$ | 1,000      | \$ | 1,000      | 4269 |
| 5MF0 | 725635 | Ohio Geology License<br>Plate            | \$ | 2,520      | \$ | 2,520      | 4270 |
| 5MW0 | 725604 | Natural Resources<br>Special Purposes    | \$ | 6,000,000  | \$ | 6,000,000  | 4271 |
| 5P20 | 725634 | Wildlife Boater Angler<br>Administration | \$ | 3,000,000  | \$ | 3,000,000  | 4272 |
| 5SA1 | 725609 | Mentor Stormwater<br>Project             | \$ | 350,000    | \$ | 0          | 4273 |
| 6150 | 725661 | Dam Safety                               | \$ | 943,517    | \$ | 943,517    | 4274 |
| 6970 | 725670 | Submerged Lands                          | \$ | 869,145    | \$ | 869,145    | 4275 |
| 7015 | 740401 | Division of Wildlife<br>Conservation     | \$ | 56,325,976 | \$ | 59,997,307 | 4276 |
| 7086 | 725414 | Waterways Improvement                    | \$ | 6,193,671  | \$ | 6,193,671  | 4277 |
| 7086 | 725418 | Buoy Placement                           | \$ | 60,000     | \$ | 60,000     | 4278 |
| 7086 | 725501 | Waterway Safety Grants                   | \$ | 120,000    | \$ | 120,000    | 4279 |
| 7086 | 725506 | Watercraft Marine                        | \$ | 576,153    | \$ | 576,153    | 4280 |

|                                      |        |                           |    |             |    |             |      |
|--------------------------------------|--------|---------------------------|----|-------------|----|-------------|------|
|                                      |        | Patrol                    |    |             |    |             |      |
| 7086                                 | 725513 | Watercraft Educational    | \$ | 400,000     | \$ | 400,000     | 4281 |
|                                      |        | Grants                    |    |             |    |             |      |
| 7086                                 | 739401 | Division of Watercraft    | \$ | 21,271,870  | \$ | 21,071,870  | 4282 |
| 8150                                 | 725636 | Cooperative Management    | \$ | 649,000     | \$ | 456,000     | 4283 |
|                                      |        | Projects                  |    |             |    |             |      |
| 8160                                 | 725649 | Wetlands Habitat          | \$ | 966,885     | \$ | 966,885     | 4284 |
| 8170                                 | 725655 | Wildlife Conservation     | \$ | 2,000,000   | \$ | 2,000,000   | 4285 |
|                                      |        | Checkoff                  |    |             |    |             |      |
| 8180                                 | 725629 | Cooperative Fisheries     | \$ | 1,500,000   | \$ | 1,500,000   | 4286 |
|                                      |        | Research                  |    |             |    |             |      |
| 8190                                 | 725685 | Ohio River Management     | \$ | 203,584     | \$ | 203,584     | 4287 |
| 81B0                                 | 725688 | Wildlife Habitats         | \$ | 1,200,000   | \$ | 1,200,000   | 4288 |
| TOTAL                                | DPF    | Dedicated Purpose Fund    | \$ | 183,272,034 | \$ | 182,754,063 | 4289 |
| Group                                |        |                           |    |             |    |             |      |
| Internal Service Activity Fund Group |        |                           |    |             |    |             | 4290 |
| 1550                                 | 725601 | Departmental Projects     | \$ | 2,444,457   | \$ | 1,805,807   | 4291 |
| 1570                                 | 725651 | Central Support           | \$ | 5,176,611   | \$ | 5,351,233   | 4292 |
|                                      |        | Indirect                  |    |             |    |             |      |
| 2040                                 | 725687 | Information Services      | \$ | 5,633,426   | \$ | 5,633,426   | 4293 |
| 2050                                 | 725696 | Human Resource Direct     | \$ | 2,634,135   | \$ | 2,696,052   | 4294 |
|                                      |        | Service                   |    |             |    |             |      |
| 2070                                 | 725690 | Real Estate Services      | \$ | 34,291      | \$ | 34,834      | 4295 |
| 2230                                 | 725665 | Law Enforcement           | \$ | 2,553,054   | \$ | 2,609,277   | 4296 |
|                                      |        | Administration            |    |             |    |             |      |
| 4X80                                 | 725662 | Water Resources           | \$ | 138,005     | \$ | 138,005     | 4297 |
|                                      |        | Council                   |    |             |    |             |      |
| 5100                                 | 725631 | Maintenance -             | \$ | 249,611     | \$ | 249,611     | 4298 |
|                                      |        | State-owned               |    |             |    |             |      |
|                                      |        | Residences                |    |             |    |             |      |
| 6350                                 | 725664 | Fountain Square           | \$ | 3,457,486   | \$ | 3,469,467   | 4299 |
|                                      |        | Facilities Management     |    |             |    |             |      |
| TOTAL                                | ISA    | Internal Service Activity |    |             |    |             | 4300 |

|                                   |    |            |    |            |      |
|-----------------------------------|----|------------|----|------------|------|
| Fund Group                        | \$ | 22,321,076 | \$ | 21,987,712 | 4301 |
| Capital Projects Fund Group       |    |            |    |            | 4302 |
| 7061 725405 Clean Ohio Trail      | \$ | 300,775    | \$ | 300,775    | 4303 |
| Operating                         |    |            |    |            |      |
| TOTAL CPF Capital Projects Fund   | \$ | 300,775    | \$ | 300,775    | 4304 |
| Group                             |    |            |    |            |      |
| Fiduciary Fund Group              |    |            |    |            | 4305 |
| 4M80 725675 FOP Contract          | \$ | 20,219     | \$ | 20,219     | 4306 |
| TOTAL FID Fiduciary Fund Group    | \$ | 20,219     | \$ | 20,219     | 4307 |
|                                   |    |            |    |            |      |
| Holding Account Fund Group        |    |            |    |            | 4308 |
| R017 725659 Performance Cash Bond | \$ | 528,993    | \$ | 528,993    | 4309 |
| Refunds                           |    |            |    |            |      |
| R043 725624 Forestry              | \$ | 2,100,000  | \$ | 2,100,000  | 4310 |
| TOTAL HLD Holding Account         |    |            |    |            | 4311 |
| Fund Group                        | \$ | 2,628,993  | \$ | 2,628,993  | 4312 |
|                                   |    |            |    |            |      |
| Federal Fund Group                |    |            |    |            | 4313 |
| 3320 725669 Federal Mine Safety   | \$ | 265,000    | \$ | 265,000    | 4314 |
| Grant                             |    |            |    |            |      |
| 3B30 725640 Federal Forest        | \$ | 500,000    | \$ | 500,000    | 4315 |
| Pass-Thru                         |    |            |    |            |      |
| 3B40 725641 Federal Flood         | \$ | 500,000    | \$ | 500,000    | 4316 |
| Pass-Thru                         |    |            |    |            |      |
| 3B50 725645 Federal Abandoned     | \$ | 11,851,759 | \$ | 11,851,759 | 4317 |
| Mine Lands                        |    |            |    |            |      |
| 3B60 725653 Federal Land and      | \$ | 950,000    | \$ | 950,000    | 4318 |
| Water Conservation                |    |            |    |            |      |
| Grants                            |    |            |    |            |      |
| 3B70 725654 Reclamation -         | \$ | 2,977,956  | \$ | 2,977,955  | 4319 |
| Regulatory                        |    |            |    |            |      |
| 3P10 725632 Geological Survey -   | \$ | 160,000    | \$ | 160,000    | 4320 |
| Federal                           |    |            |    |            |      |
| 3P20 725642 Oil and Gas - Federal | \$ | 234,509    | \$ | 234,509    | 4321 |

|                              |                    |   |    |                        |    |             |      |
|------------------------------|--------------------|---|----|------------------------|----|-------------|------|
| 3P30                         | 725650             | Coastal Management -<br>Federal           | \$ | 1,746,000              | \$ | 1,746,000   | 4322 |
| 3P40                         | 725660             | Federal - Soil and<br>Water Resources     | \$ | 4,165,738              | \$ | 1,195,738   | 4323 |
| 3R50                         | 725673             | Acid Mine Drainage<br>Abatement/Treatment | \$ | 4,342,280              | \$ | 4,342,280   | 4324 |
| 3Z50                         | 725657             | Federal Recreation<br>and Trails          | \$ | 1,600,000              | \$ | 1,600,000   | 4325 |
| TOTAL FED                    | Federal Fund Group |   | \$ | 29,293,242             | \$ | 26,323,241  | 4326 |
| TOTAL ALL BUDGET FUND GROUPS |                    |   | \$ | <del>338,830,275</del> | \$ | 330,458,139 | 4327 |
|                              |                    |   |    | <u>338,955,275</u>     |    |             | 4328 |

**Sec. 337.30. PARKS AND RECREATIONAL FACILITIES LEASE RENTAL** 4330  
**BOND PAYMENTS** 4331

The foregoing appropriation item 725413, Parks and 4332  
 Recreational Facilities Lease Rental Bond Payments, shall be used 4333  
 to meet all payments during the period from July 1, 2015, through 4334  
 June 30, 2017, by the Department of Natural Resources pursuant to 4335  
 leases and agreements made under section 154.22 of the Revised 4336  
 Code. These appropriations are the source of funds pledged for 4337  
 bond service charges on related obligations issued under Chapter 4338  
 154. of the Revised Code. 4339

**CANAL LANDS** 4340

The foregoing appropriation item 725456, Canal Lands, shall 4341  
 be used to provide operating expenses for the State Canal Lands 4342  
 Program. 4343

**SOIL AND WATER CONSERVATION DISTRICTS** 4344

Of the foregoing appropriation item 725502, Soil and Water 4345  
 Conservation Districts, \$350,000 in fiscal year 2016 shall be used 4346  
 by the Chief of the Division of Soil and Water Resources for a 4347  
 program to support soil and water conservation districts in the 4348  
 Western Lake Erie Basin comply with provisions of Sub. S.B. 1 of 4349

the 131st General Assembly. The Chief shall approve a soil and 4350  
water district's application for funding under the program if the 4351  
application demonstrates that funding will be used for, but not 4352  
limited to, providing technical assistance, developing applicable 4353  
nutrient or manure management plans, hiring and training of soil 4354  
and water conservation district staff on best conservation 4355  
practices, or other activities the Chief determines is appropriate 4356  
to assist farmers in the Western Lake Erie Basin in complying with 4357  
the provisions of Sub. S.B. 1 of the 131st General Assembly. 4358

HEALTHY LAKE ERIE PROGRAM 4359

The foregoing appropriation item 725505, Healthy Lake Erie 4360  
Program, shall be used by the Director of Natural Resources, in 4361  
support of (1) conservation measures in the Western Lake Erie 4362  
Basin as determined by the Director; (2) funding assistance for 4363  
soil testing, winter cover crops, edge of field testing, tributary 4364  
monitoring, animal waste abatement; and (3) any additional efforts 4365  
to reduce nutrient runoff as the Director may decide. The Director 4366  
shall give priority to recommendations that encourage farmers to 4367  
adopt agricultural production guidelines commonly known as 4R 4368  
nutrient stewardship practices. 4369

COAL AND MINE SAFETY PROGRAM 4370

The foregoing appropriation item 725507, Coal and Mine Safety 4371  
Program, shall be used for the administration of the Mine Safety 4372  
Program and the Coal Regulation Program. 4373

INDIAN LAKE WATERSHED PROJECT 4374

The foregoing appropriation item 725510, Indian Lake 4375  
Watershed Project, shall be used to support the administrative 4376  
expenses of Indian Lake Watershed Project, Inc. 4377

PORTAGE COUNTY STORMWATER 4378

The foregoing appropriation item 725512, Portage County 4379

Stormwater, shall be used by the Director of Natural Resources to 4380  
support the Portage County stormwater project. 4381

TRANSFER OF FUNDS FOR MINERAL RESOURCES MANAGEMENT 4382

During fiscal years 2016 and 2017, the Director of Budget and 4383  
Management may, at the request of the Director of Natural 4384  
Resources, following the identification of available balances by 4385  
the Director of Natural Resources in the Unreclaimed Land Fund 4386  
(Fund 5290), transfer up to \$500,000 per year from Fund 5290 to 4387  
the Coal Mining Administration and Reclamation Reserve Fund (Fund 4388  
5260) created in section 1513.181 of the Revised Code. The cash 4389  
transfer to Fund 5260 shall be used to operate the Coal Regulatory 4390  
Program. 4391

During fiscal years 2016 and 2017, the Director of Budget and 4392  
Management may, at the request of the Director of Natural 4393  
Resources, following the identification of available balances by 4394  
the Director of Natural Resources in Fund 5290, transfer up to 4395  
\$800,000 per year from Fund 5290 to the Surface Mining Fund (Fund 4396  
5270) created in section 1514.06 of the Revised Code. The cash 4397  
transfer to Fund 5270 shall be used to operate the industrial 4398  
minerals and Ohio mine safety and training programs. 4399

NATURAL RESOURCES GENERAL OBLIGATION BOND DEBT SERVICE 4400

The foregoing appropriation item 725903, Natural Resources 4401  
General Obligation Bond Debt Service, shall be used to pay all 4402  
debt service and related financing costs during the period July 1, 4403  
2015, through June 30, 2017, on obligations issued under sections 4404  
151.01 and 151.05 of the Revised Code. 4405

**Sec. 369.10.** BOR DEPARTMENT OF HIGHER EDUCATION 4406

General Revenue Fund 4407

GRF 235321 Operating Expenses \$ 5,377,193 \$ 5,377,193 4408

GRF 235402 Sea Grants \$ 299,250 \$ 299,250 4409

|            |   |    |               |    |               |      |
|------------|---|----|---------------|----|---------------|------|
| GRF 235406 | Articulation and<br>Transfer                              | \$ | 2,000,000     | \$ | 2,000,000     | 4410 |
| GRF 235408 | Midwest Higher<br>Education Compact                       | \$ | 115,000       | \$ | 115,000       | 4411 |
| GRF 235414 | State Grants and<br>Scholarship<br>Administration         | \$ | 830,180       | \$ | 830,180       | 4412 |
| GRF 235417 | eStudent Services   | \$ | 2,532,688     | \$ | 2,532,688     | 4413 |
| GRF 235428 | Appalachian New<br>Economy Partnership                    | \$ | 1,500,000     | \$ | 1,500,000     | 4414 |
| GRF 235438 | Choose Ohio First<br>Scholarship                          | \$ | 16,665,114    | \$ | 16,665,114    | 4415 |
| GRF 235443 | Adult Basic and<br>Literacy Education -<br>State          | \$ | 7,402,416     | \$ | 7,372,416     | 4416 |
| GRF 235444 | Ohio Technical Centers                                    | \$ | 16,817,547    | \$ | 16,817,547    | 4417 |
| GRF 235474 | Area Health Education<br>Centers Program<br>Support       | \$ | 900,000       | \$ | 900,000       | 4418 |
| GRF 235483 | Technology Integration<br>and Professional<br>Development | \$ | 378,598       | \$ | 378,598       | 4419 |
| GRF 235492 | Campus Safety and<br>Training                             | \$ | 2,000,000     | \$ | 0             | 4420 |
| GRF 235501 | State Share of<br>Instruction                             | \$ | 1,903,285,144 | \$ | 1,979,416,550 | 4421 |
| GRF 235502 | Student Support<br>Services                               | \$ | 632,974       | \$ | 632,974       | 4422 |
| GRF 235504 | War Orphans<br>Scholarships                               | \$ | 6,835,710     | \$ | 7,124,141     | 4423 |
| GRF 235507 | OhioLINK  | \$ | 6,211,012     | \$ | 6,211,012     | 4424 |
| GRF 235508 | Air Force Institute of<br>Technology                      | \$ | 1,740,803     | \$ | 1,740,803     | 4425 |

|            |  |    |                                      |    |            |      |
|------------|--|----|--------------------------------------|----|------------|------|
| GRF 235510 | Ohio Supercomputer<br>Center                             | \$ | 5,818,900                            | \$ | 5,818,900  | 4426 |
| GRF 235511 | Cooperative Extension<br>Service                         | \$ | 24,209,491                           | \$ | 24,209,491 | 4427 |
| GRF 235514 | Central State<br>Supplement                              | \$ | 11,063,468                           | \$ | 11,063,468 | 4428 |
| GRF 235515 | Case Western Reserve<br>University School of<br>Medicine | \$ | 2,146,253                            | \$ | 2,146,253  | 4429 |
| GRF 235519 | Family Practice  | \$ | 3,166,185                            | \$ | 3,166,185  | 4430 |
| GRF 235520 | Shawnee State<br>Supplement                              | \$ | 2,326,097                            | \$ | 2,326,097  | 4431 |
| GRF 235524 | Police and Fire<br>Protection                            | \$ | 107,814                              | \$ | 107,814    | 4432 |
| GRF 235525 | Geriatric Medicine                                       | \$ | 522,151                              | \$ | 522,151    | 4433 |
| GRF 235526 | Primary Care<br>Residencies                              | \$ | 1,500,000                            | \$ | 1,500,000  | 4434 |
| GRF 235533 | Higher Education<br>Program Support                      | \$ | <del>600,000</del><br><u>820,000</u> | \$ | 600,000    | 4435 |
| GRF 235535 | Ohio Agricultural<br>Research and<br>Development Center  | \$ | 36,861,470                           | \$ | 36,361,470 | 4436 |
| GRF 235536 | The Ohio State<br>University Clinical<br>Teaching        | \$ | 9,668,941                            | \$ | 9,668,941  | 4437 |
| GRF 235537 | University of<br>Cincinnati Clinical<br>Teaching         | \$ | 7,952,573                            | \$ | 7,952,573  | 4438 |
| GRF 235538 | University of Toledo<br>Clinical Teaching                | \$ | 6,198,600                            | \$ | 6,198,600  | 4439 |
| GRF 235539 | Wright State<br>University Clinical<br>Teaching          | \$ | 3,011,400                            | \$ | 3,011,400  | 4440 |

|            |   |   |   |      |
|------------|---|---|---|------|
| GRF 235540 | Ohio University<br>Clinical Teaching                        | \$ 2,911,212                                | \$ 2,911,212                                | 4441 |
| GRF 235541 | Northeast Ohio Medical<br>University Clinical<br>Teaching   | \$ 2,994,178                                | \$ 2,994,178                                | 4442 |
| GRF 235546 | Central State<br>Agricultural Research<br>and Development   | \$ 1,850,000                                | \$ 1,850,000                                | 4443 |
| GRF 235548 | Central State<br>Cooperative Extension<br>Services          | \$ 350,000                                  | \$ 350,000                                  | 4444 |
| GRF 235552 | Capital Component   | \$ 10,280,387                               | \$ 6,350,817                                | 4445 |
| GRF 235555 | Library Depositories  | \$ 1,440,342                                | \$ 1,440,342                                | 4446 |
| GRF 235556 | Ohio Academic<br>Resources Network                          | \$ 3,172,519                                | \$ 3,172,519                                | 4447 |
| GRF 235558 | Long-term Care<br>Research                                  | \$ 325,300                                  | \$ 325,300                                  | 4448 |
| GRF 235559 | Central State<br>University -<br>Agriculture Education      | \$ 300,000                                  | \$ 300,000                                  | 4449 |
| GRF 235563 | Ohio College<br>Opportunity Grant                           | \$ 97,187,107                               | \$ 100,187,107                              | 4450 |
| GRF 235572 | The Ohio State<br>University Clinic<br>Support              | \$ 766,533                                  | \$ 766,533                                  | 4451 |
| GRF 235591 | Co-op Internship<br>Program                                 | \$ <del>3,770,000</del><br><u>3,520,000</u> | \$ <del>3,770,000</del><br><u>3,520,000</u> | 4452 |
| GRF 235599 | National Guard<br>Scholarship Program                       | \$ 18,750,552                               | \$ 18,900,003                               | 4453 |
| GRF 235909 | Higher Education<br>General Obligation<br>Bond Debt Service | \$ 252,470,800                              | \$ 259,289,500                              | 4454 |
| TOTAL GRF  | General Revenue Fund  | \$ <del>2,487,245,902</del>                 | \$ <del>2,567,174,320</del>                 | 4455 |

|   |        | <u>2,487,215,902</u>  |               | <u>2,566,924,320</u> |  |      |
|---|--------|---|---------------|----------------------|--|------|
| Dedicated Purpose Fund Group              |        |   |               |                      |  | 4456 |
| 2200                                      | 235614 | Program Approval and<br>Reauthorization                             | \$ 650,000    | \$ 650,000           |  | 4457 |
| 4560                                      | 235603 | Sales and Services  | \$ 199,250    | \$ 199,250           |  | 4458 |
| 4E80                                      | 235602 | Higher Educational<br>Facility Commission<br>Administration         | \$ 29,100     | \$ 29,100            |  | 4459 |
| 4X10                                      | 235674 | Telecommunity and<br>Distance Learning                              | \$ 49,150     | \$ 49,150            |  | 4460 |
| 5D40                                      | 235675 | Conferences/Special<br>Purposes                                     | \$ 1,884,095  | \$ 1,884,095         |  | 4461 |
| 5JC0                                      | 235620 | Regional Partnership<br>and Training Center                         | \$ 500,000    | \$ 500,000           |  | 4462 |
| 5JC0                                      | 235668 | Defense/Aerospace<br>Workforce Development<br>Initiative            | \$ 10,000,000 | \$ 10,000,000        |  | 4463 |
| 5NH0                                      | 235684 | OhioMeansJobs<br>Workforce Development<br>Revolving Loan<br>Program | \$ 500,000    | \$ 0                 |  | 4464 |
| 5P30                                      | 235663 | Variable Savings Plan   | \$ 8,028,685  | \$ 8,082,899         |  | 4465 |
| 5RA0                                      | 235616 | Workforce and Higher<br>Education Programs                          | \$ 10,750,000 | \$ 16,500,000        |  | 4466 |
| 5RA0                                      | 235673 | NCERCMP   | \$ 2,000,000  | \$ 2,000,000         |  | 4467 |
| 6450                                      | 235664 | Guaranteed Savings<br>Plan  | \$ 1,068,048  | \$ 1,061,886         |  | 4468 |
| 6820                                      | 235606 | Nursing Loan Program  | \$ 891,320    | \$ 891,320           |  | 4469 |
| TOTAL DPF Dedicated Purpose Fund<br>Group |        |   | \$ 36,549,648 | \$ 41,847,700        |  | 4470 |
| Bond Research and Development Fund Group  |        |   |               |                      |  | 4471 |
| 7011                                      | 235634 | Research Incentive  | \$ 8,000,000  | \$ 8,000,000         |  | 4472 |

|                              |                   |                          |                             |               |      |
|------------------------------|-------------------|--------------------------|-----------------------------|---------------|------|
| Third Frontier Fund          |                   |                          |                             |               |      |
| TOTAL BRD Bond Research and  | \$                | 8,000,000                | \$ 8,000,000                | 4473          |      |
| Development Fund Group       |                   |                          |                             |               |      |
| Federal Fund Group           |                   |                          |                             | 4474          |      |
| 3120 235611                  | Gear-up Grant     | \$                       | 3,050,600                   | \$ 3,169,050  | 4475 |
| 3120 235612                  | Carl D. Perkins   | \$                       | 1,350,000                   | \$ 1,350,000  | 4476 |
| Grant/Plan                   |                   |                          |                             |               |      |
| Administration               |                   |                          |                             |               |      |
| 3120 235617                  | Improving Teacher | \$                       | 2,800,000                   | \$ 2,800,000  | 4477 |
| Quality Grant                |                   |                          |                             |               |      |
| 3120 235641                  | Adult Basic and   | \$                       | 15,207,359                  | \$ 15,207,359 | 4478 |
| Literacy Education -         |                   |                          |                             |               |      |
| Federal                      |                   |                          |                             |               |      |
| 3120 235672                  | H-1B Tech Skills  | \$                       | 2,100,000                   | \$ 2,100,000  | 4479 |
| Training                     |                   |                          |                             |               |      |
| 3H20 235608                  | Human Services    | \$                       | 375,000                     | \$ 375,000    | 4480 |
| Project                      |                   |                          |                             |               |      |
| TOTAL FED Federal Fund Group | \$                | 24,882,959               | \$ 25,001,409               | 4481          |      |
| TOTAL ALL BUDGET FUND GROUPS | \$                | <del>2,556,678,509</del> | \$ <del>2,642,023,429</del> | 4482          |      |
|                              |                   | <u>2,556,648,509</u>     | <u>2,641,773,429</u>        |               |      |

**Sec. 369.314. HIGHER EDUCATION PROGRAM SUPPORT** 4484

Of the foregoing appropriation item 235533, Higher Education 4485  
 Program Support, \$250,000 in each fiscal year shall be used by The 4486  
 Ohio State University to support its hosting of the annual Special 4487  
 Olympics Ohio Summer Games. 4488

Of the foregoing appropriation item 235533, Higher Education 4489  
 Program Support, \$100,000 in each fiscal year shall be used to 4490  
 support program development and equipment purchase expenses for 4491  
 the Cores + Connections program at the Cleveland Institute of Art. 4492

Of the foregoing appropriation item 235533, Higher Education 4493  
 Program Support, \$100,000 in each fiscal year shall be used by 4494

Eastern Gateway Community College to establish and provide 4495  
scholarships under the Energy Sector Scholarship Pilot Program. 4496  
The program shall seek to incentivize and connect high school 4497  
students with scholarship opportunities to pursue careers in the 4498  
oil and gas industry in Ohio. Staff from Eastern Gateway Community 4499  
College shall provide administration, outreach, and marketing for 4500  
the program. 4501

Of the foregoing appropriation item 235533, Higher Education 4502  
Program Support, \$75,000 in each fiscal year shall be distributed 4503  
to the Ohio University Leadership Project. 4504

Of the foregoing appropriation item 235533, Higher Education 4505  
Program Support, \$75,000 in each fiscal year shall be used to 4506  
establish the Customized Employee Recruitment Workforce Program at 4507  
Sinclair Community College. 4508

Of the foregoing appropriation item 235533, Higher Education 4509  
Program Support, \$220,000 in fiscal year 2016 shall be used by 4510  
Wright State University for security upgrades necessary for 4511  
hosting the presidential debate in the fall of 2016. 4512

**Sec. 369.393. CO-OP INTERNSHIP PROGRAM** 4513

Of the foregoing appropriation item 235591, Co-op Internship 4514  
Program, \$75,000 in each fiscal year shall be used to support the 4515  
operations of Ohio University's Voinovich School of Leadership and 4516  
Public Affairs. 4517

Of the foregoing appropriation item 235591, Co-op Internship 4518  
Program, \$75,000 in each fiscal year, shall be used to support the 4519  
operations of The Ohio State University's John Glenn College of 4520  
Public Affairs. 4521

Of the foregoing appropriation item 235591, Co-op Internship 4522  
Program, \$75,000 in each fiscal year shall be used to support the 4523  
Bliss Institute of Applied Politics at the University of Akron. 4524

Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Center for Public Management and Regional Affairs at Miami University. 4525  
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Of the foregoing appropriation item 235591, Co-op Internship Program, \$245,000 in each fiscal year shall be used to support students who attend institutions of higher education in Ohio and are participating in the Washington Center Internship Program. 4529  
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Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Ohio Center for the Advancement of Women in Public Service at the Maxine Goodman Levin College of Urban Affairs at Cleveland State University. 4533  
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Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the University of Cincinnati Internship Program. 4538  
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Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the operations of the Center for Regional Development at Bowling Green State University. 4541  
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Of the foregoing appropriation item 235591, Co-op Internship Program, \$500,000 in each fiscal year shall be used to support the operations of the Wright State Public Policy Institute at Wright State University. 4545  
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Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Kent State University Columbus Program. 4549  
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Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the University of Toledo Jack Ford Urban Affairs Center. 4552  
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Of the foregoing appropriation item 235591, Co-op Internship Program, \$10,000 in each fiscal year shall be provided to the Ohio College Access Network to support the Ohio Student Education Policy Institute.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Center for Urban and Regional Studies at Youngstown State University.

~~Of the foregoing appropriation item 235591, Co-op Internship Program, \$250,000 shall be used to establish and support the Wright State Policy Institute at Wright State University and the Workforce Immersion Program at the Wright State Policy Institute. The Wright State Policy Institute shall offer a premier leadership development program designed to identify, educate, and motivate a network of future community leaders and critical workforce as well as increase their capacity to serve their community, state, and country while preparing to enter public service or for in-demand jobs in Ohio. The Workforce Immersion Program shall provide an intensive learning and pre professional experience in four tracks: local government, state government, federal government, and in-demand jobs as identified by OhioMeansJobs. It shall increase the number of students pursuing careers in public services and in-demand occupations and encourage them to remain in Ohio for their employment.~~

Of the foregoing appropriation item 235591, Co-op Internship Program, \$200,000 in each fiscal year shall be allocated to support the Museum of Contemporary Art Cleveland Fellowship Program in collaboration with Cleveland State University.

Of the foregoing appropriation item 235591, Co-Op Internship Program, \$100,000 in each fiscal year shall be used to support the Children's Museum of Cleveland Fellowship Program in collaboration with Cleveland State University.

**Sec. 369.470.** OHIO MEANS JOBS WORKFORCE DEVELOPMENT REVOLVING LOAN PROGRAM 4587  
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The foregoing appropriation item 235684, OhioMeansJobs Workforce Development Revolving Loan Program, shall be used for the OhioMeansJobs Workforce Development Revolving Loan Program to provide loans to individuals for workforce training. 4589  
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Of the foregoing appropriation item 235684, OhioMeansJobs Workforce Development Revolving Loan Program, up to \$250,000 in fiscal year 2016 may be used by the Chancellor of Higher Education to administer the program. 4593  
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~~An amount equal to the unexpended, unencumbered portion of the foregoing appropriation item 235684, OhioMeansJobs Workforce Development Revolving Loan Program, at the end of fiscal year 2015 is hereby reappropriated to the Treasurer of State appropriation item, 090610, OhioMeansJobs Workforce Development Revolving Loan Program, for the same purpose for fiscal year 2016.~~ 4597  
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Any unexpended and unencumbered portion of the foregoing appropriation item 235684, OhioMeansJobs Workforce Development Revolving Loan Program, at the end of fiscal year 2016 is hereby reappropriated for the same purpose in fiscal year 2017. To the extent that reappropriated funds are available, of the foregoing appropriation item 235684, OhioMeansJobs Workforce Development Revolving Loan Program, up to \$250,000 in fiscal year 2017 may be used by the Chancellor of Higher Education to administer the program. 4603  
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**Sec. 371.10.** DRC DEPARTMENT OF REHABILITATION AND CORRECTION 4612  
General Revenue Fund 4613  
GRF 501321 Institutional \$ ~~950,215,085~~ \$ 975,215,085 4614  
Operations 955,095,937  
GRF 501405 Halfway House \$ 54,369,687 \$ 56,541,437 4615

|   |        |  |    |  |    |               |      |
|---|--------|--|----|--|----|---------------|------|
| GRF                                       | 501406 | Adult Correctional<br>Facilities Lease<br>Rental Bond Payments | \$ | <del>82,595,700</del><br><u>76,255,700</u>   | \$ | 79,702,800    | 4616 |
| GRF                                       | 501407 | Community<br>Nonresidential<br>Programs                        | \$ | 51,477,390                                   | \$ | 53,365,890    | 4617 |
| GRF                                       | 501408 | Community Misdemeanor<br>Programs                              | \$ | 14,356,800                                   | \$ | 14,356,800    | 4618 |
| GRF                                       | 501501 | Community Residential<br>Programs - CBCF                       | \$ | 74,491,705                                   | \$ | 78,329,955    | 4619 |
| GRF                                       | 501503 | Residential Grant<br>Program                                   | \$ | 100,000                                      | \$ | 100,000       | 4620 |
| GRF                                       | 503321 | Parole and Community<br>Operations                             | \$ | 73,346,119                                   | \$ | 75,149,295    | 4621 |
| GRF                                       | 504321 | Administrative<br>Operations                                   | \$ | 21,475,332                                   | \$ | 21,999,343    | 4622 |
| GRF                                       | 505321 | Institution Medical<br>Services                                | \$ | <del>240,000,000</del><br><u>241,459,148</u> | \$ | 249,000,000   | 4623 |
| GRF                                       | 506321 | Institution Education<br>Services                              | \$ | 24,586,681                                   | \$ | 30,454,204    | 4624 |
| TOTAL GRF General Revenue Fund            |        |  | \$ | 1,587,014,499                                | \$ | 1,634,214,809 | 4625 |
| Dedicated Purpose Fund Group              |        |  |    |  |    |               | 4626 |
| 4B00                                      | 501601 | Sewer Treatment<br>Services                                    | \$ | 2,393,506                                    | \$ | 2,420,848     | 4627 |
| 4D40                                      | 501603 | Prisoner Programs  | \$ | 5,490,000                                    | \$ | 500,000       | 4628 |
| 4L40                                      | 501604 | Transitional Control   | \$ | 700,000                                      | \$ | 700,000       | 4629 |
| 4S50                                      | 501608 | Education Services   | \$ | 3,432,164                                    | \$ | 3,490,471     | 4630 |
| 5AF0                                      | 501609 | State and Non-Federal<br>Awards                                | \$ | 2,000,000                                    | \$ | 2,000,000     | 4631 |
| 5H80                                      | 501617 | Offender Financial<br>Responsibility                           | \$ | 2,000,000                                    | \$ | 2,000,000     | 4632 |
| TOTAL DPF Dedicated Purpose Fund<br>Group |        |  | \$ | 16,015,670                                   | \$ | 11,111,319    | 4633 |

|  |    |               |    |               |      |
|--|----|---------------|----|---------------|------|
| Internal Service Activity Fund Group                               |    |               |    |               | 4634 |
| 1480 501602 Institutional  | \$ | 3,139,577     | \$ | 3,139,577     | 4635 |
| Services   |    |               |    |               |      |
| 2000 501607 Ohio Penal Industries                                  | \$ | 54,492,119    | \$ | 54,925,441    | 4636 |
| 4830 501605 Leased Property  | \$ | 467,844       | \$ | 469,540       | 4637 |
| Maintenance &  |    |               |    |               |      |
| Operating  |    |               |    |               |      |
| 5710 501606 Corrections Training                                   | \$ | 500,000       | \$ | 500,000       | 4638 |
| Maintenance &  |    |               |    |               |      |
| Operating  |    |               |    |               |      |
| 5L60 501611 Information  | \$ | 500,000       | \$ | 500,000       | 4639 |
| Technology Services  |    |               |    |               |      |
| TOTAL ISA Internal Activity  |    |               |    |               | 4640 |
| Fund Group   | \$ | 59,099,540    | \$ | 59,534,558    | 4641 |
| Federal Fund Group   |    |               |    |               | 4642 |
| 3230 501619 Federal Grants   | \$ | 4,200,000     | \$ | 4,200,000     | 4643 |
| 3CW0 501622 Federal Equitable                                      | \$ | 400,000       | \$ | 400,000       | 4644 |
| Sharing  |    |               |    |               |      |
| TOTAL FED Federal  |    |               |    |               | 4645 |
| Fund Group   | \$ | 4,600,000     | \$ | 4,600,000     | 4646 |
| TOTAL ALL BUDGET FUND GROUPS                                       | \$ | 1,666,729,709 | \$ | 1,709,460,686 | 4647 |
| ADULT CORRECTIONAL FACILITIES LEASE RENTAL BOND PAYMENTS           |    |               |    |               | 4648 |
| The foregoing appropriation item 501406, Adult Correctional        |    |               |    |               | 4649 |
| Facilities Lease Rental Bond Payments, shall be used to meet all   |    |               |    |               | 4650 |
| payments during the period from July 1, 2015, through June 30,     |    |               |    |               | 4651 |
| 2017, by the Department of Rehabilitation and Correction under the |    |               |    |               | 4652 |
| primary leases and agreements for those buildings made under       |    |               |    |               | 4653 |
| Chapters 152. and 154. of the Revised Code. These appropriations   |    |               |    |               | 4654 |
| are the source of funds pledged for bond service charges on        |    |               |    |               | 4655 |
| related obligations issued under Chapters 152. and 154. of the     |    |               |    |               | 4656 |
| Revised Code.  |    |               |    |               | 4657 |
| RESIDENTIAL GRANT PROGRAM  |    |               |    |               | 4658 |

The foregoing appropriation item 501503, Residential Grant Program, shall be used by the Department of Rehabilitation and Correction to conduct a one-year pilot program to award grants in support of community-based residential programs in several prisons. The Department shall establish guidelines, procedures, and forms by which applicants may apply for grants. These guidelines shall establish that grant eligibility is limited to faith-based character programs that have been in existence for five years or longer, that are not operated by the state of Ohio, and that have a demonstrated record of successful implementation of residential programs that have been shown to reduce violent behavior and disciplinary reports of inmate participants while in prison and significantly reduce recidivism among graduates once they reenter the outside community.

In administering the one-year pilot program, the Department shall establish a partnership with an Ohio university or college which would provide all necessary and appropriate statistical information concerning the implementation of the program. The Department shall submit a quarterly report containing that information to the Speaker of the House of Representatives and the President of the Senate.

OSU MEDICAL CHARGES

Notwithstanding section 341.192 of the Revised Code, at the request of the Department of Rehabilitation and Correction, The Ohio State University Medical Center, including the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute and the Richard M. Ross Heart Hospital, shall provide necessary care to persons who are confined in state adult correctional facilities. The provision of necessary inpatient care shall be billed to the Department or the Department of Medicaid at a rate not to exceed the authorized reimbursement rate for the same service established by the Department of Medicaid under the

|  |  |   |               |      |
|--|--|---|---------------|------|
| Medicaid Program.                          |  |   |               | 4691 |
| <b>Sec. 401.10. TOS TREASURER OF STATE</b> |  |   |               | 4692 |
| General Revenue Fund                       |  |   |               | 4693 |
| GRF 090321                                 | Operating Expenses                                     | \$ 7,743,553                                  | \$ 7,743,553  | 4694 |
| GRF 090401                                 | Office of the Sinking<br>Fund                          | \$ 502,304                                    | \$ 502,304    | 4695 |
| GRF 090402                                 | Continuing Education                                   | \$ 377,702                                    | \$ 377,702    | 4696 |
| GRF 090406                                 | Treasury Management<br>System Lease Rental<br>Payments | \$ 1,117,400                                  | \$ 1,116,800  | 4697 |
| GRF 090524                                 | Police and Fire<br>Disability Pension<br>Fund          | \$ 5,000                                      | \$ 5,000      | 4698 |
| GRF 090534                                 | Police and Fire Ad Hoc<br>Cost of Living               | \$ 55,000                                     | \$ 55,000     | 4699 |
| GRF 090554                                 | Police and Fire<br>Survivor Benefits                   | \$ 443,000                                    | \$ 443,000    | 4700 |
| GRF 090575                                 | Police and Fire Death<br>Benefits                      | \$ 20,000,000                                 | \$ 20,000,000 | 4701 |
| GRF 090613                                 | ABLE Account<br>Administration                         | \$ 2,000,000                                  | \$ 2,000,000  | 4702 |
| TOTAL GRF General Revenue Fund             |  |   |               | 4703 |
| Dedicated Purpose Fund Group               |  |   |               | 4704 |
| 4E90 090603                                | Securities Lending<br>Income                           | \$ 5,200,000                                  | \$ 5,200,000  | 4705 |
| 5770 090605                                | Investment Pool<br>Reimbursement                       | \$ 1,050,000                                  | \$ 1,050,000  | 4706 |
| 5C50 090602                                | County Treasurer<br>Education                          | \$ 170,057                                    | \$ 170,057    | 4707 |
| 5NH0 090610                                | OhioMeansJobs<br>Workforce Development                 | \$ <del>17,000,000</del><br><u>24,500,000</u> | \$ 0          | 4708 |

|                                |                     |    |                       |    |            |
|--------------------------------|---------------------|----|-----------------------|----|------------|
|                                | Revolving Loan      |    |                       |    |            |
|                                | Program             |    |                       |    |            |
| 6050 090609                    | Treasurer of State  | \$ | 700,000               | \$ | 700,000    |
|                                | Administrative Fund |    |                       |    | 4709       |
| TOTAL DPF Dedicated Purpose    |                     |    |                       |    | 4710       |
| Fund Group                     |                     | \$ | <del>24,120,057</del> | \$ | 7,120,057  |
|                                |                     |    | <u>31,620,057</u>     |    | 4711       |
| Fiduciary Fund Group           |                     |    |                       |    | 4712       |
| 4250 090635                    | Tax Refunds         | \$ | 6,000,000             | \$ | 6,000,000  |
| TOTAL FID Fiduciary Fund Group |                     | \$ | 6,000,000             | \$ | 6,000,000  |
| TOTAL ALL BUDGET FUND GROUPS   |                     | \$ | <del>62,364,016</del> | \$ | 45,363,416 |
|                                |                     |    | <u>69,864,016</u>     |    | 4715       |

**Sec. 701.120.** (A) There is hereby established the Local Government Safety Capital Grant Program to be administered by the Local Government Innovation Council created in section 189.03 of the Revised Code. Under the program, the Council may award grants to political subdivisions to be used for the purchase of vehicles, equipment, facilities, or systems needed to enhance public safety. Applications shall be submitted to the Development Services Agency on a form specified by the Director of Development Services. The Agency shall provide the application to the Council for evaluation and selection. The Council shall award not more than one hundred thousand dollars in total grants to an individual political subdivision.

(B) Grants awarded under this section shall be made from the Local Government Safety Capital Fund, which is hereby created in the state treasury. The fund shall consist of money appropriated to it.

(C) As used in this section, "political subdivision" means a county, township, municipal corporation, joint emergency medical services district organized under section 307.052 of the Revised

Code, fire district organized under section 505.37 of the Revised 4736  
Code, joint fire district organized under section 505.371 of the 4737  
Revised Code, fire and ambulance district organized under section 4738  
505.375 of the Revised Code, joint police district organized under 4739  
section 505.482 of the Revised Code, and joint ambulance district 4740  
organized under section 505.71 of the Revised Code. 4741

**Section 610.11.** That existing Sections 241.10, 259.10, 4742  
259.40, 263.10, 263.280, 337.10, 337.30, 369.10, 369.314, 369.393, 4743  
369.470, 371.10, 401.10, and 701.120 of Am. Sub. H.B. 64 of the 4744  
131st General Assembly are hereby repealed. 4745

**Section 610.20.** That Section 263.325 of Am. Sub. H.B. 64 of 4746  
the 131st General Assembly, as amended by Sub. S.B. 208 of the 4747  
131st General Assembly, be amended to read as follows: 4748

**Sec. 263.325. SCHOOL DISTRICT TPP SUPPLEMENT** 4749

The foregoing appropriation item 200697, School District TPP 4750  
Supplement, shall be distributed to city, local, and exempted 4751  
village school districts for supplemental foundation aid as 4752  
provided in this section. 4753

For each fiscal year, the Department of Education shall 4754  
compute and pay supplemental foundation aid to each school 4755  
district as follows: 4756

(A)(1) Calculate the school district's combined state aid for 4757  
fiscal year 2015, which equals the sum of: 4758

(a) The district's state education aid for fiscal year 2015, 4759  
as defined in division (A)(4)(a) of section 5709.92 of the Revised 4760  
Code; and 4761

(b) The district's current expense allocation, as defined in 4762  
division (A)(8) of section 5709.92 of the Revised Code. 4763

(2) Calculate the school district's combined state aid for 4764  
fiscal year 2016, which equals the sum of: 4765

(a) The sum of the amounts computed for the district for 4766  
fiscal year 2016 under section 3317.022 of the Revised Code, as 4767  
amended by Am. Sub. H.B. 64 of the 131st General Assembly, and 4768  
under divisions (E), (F), and (G) of section 3317.0212 of the 4769  
Revised Code, as amended by Am. Sub. H.B. 64 of the 131st General 4770  
Assembly, plus any amount calculated for temporary transitional 4771  
aid for fiscal year 2016 under division (A) of Section 263.230 of 4772  
Am. Sub. H.B. 64 of the 131st General Assembly, and after any 4773  
reductions made for fiscal year 2016 under division (B) of Section 4774  
263.230 of Am. Sub. H.B. 64 of the 131st General Assembly; 4775

(b) The sum of the payments received by the school district 4776  
in fiscal year 2016 for current expense levy losses pursuant to 4777  
division (C)(1)(a) or (b) of section 5709.92 of the Revised Code, 4778  
excluding the portion of such payments attributable to levies for 4779  
joint vocational school district purposes. 4780

(3) Calculate the school district's combined state aid for 4781  
fiscal year 2017, which equals the sum of: 4782

(a) The amounts computed for the district for fiscal year 4783  
2017 under section 3317.022 of the Revised Code, as amended by Am. 4784  
Sub. H.B. 64 of the 131st General Assembly, and under divisions 4785  
(E), (F), and (G) of section 3317.0212 of the Revised Code, as 4786  
amended by Am. Sub. H.B. 64 of the 131st General Assembly, plus 4787  
any amount calculated for temporary transitional aid for fiscal 4788  
year 2017 under division (A) of Section 263.230 of Am. Sub. H.B. 4789  
64 of the 131st General Assembly, and after any reductions made 4790  
for fiscal year 2017 under division (B) of Section 263.230 of Am. 4791  
Sub. H.B. 64 of the 131st General Assembly. 4792

(b) The sum of the payments received by the school district 4793  
in fiscal year 2017 for current expense levy losses pursuant to 4794

division (C)(1)(a) or (b) of section 5709.92 of the Revised Code, 4795  
excluding the portion of such payments attributable to levies for 4796  
joint vocational school district purposes. 4797

(B)(1) For fiscal year 2016, each district's payment shall be 4798  
in an amount equal to the amount calculated in division (A)(1) of 4799  
this section minus the amount calculated in division (A)(2) of 4800  
this section. If the result is a negative number, the district's 4801  
payment shall be zero. 4802

(2) For fiscal year 2017, each district's payment shall be in 4803  
an amount equal to the following: 4804

((The amount calculated in division (A)(1) of this section - the 4805  
sum of the amounts calculated under divisions (A)(8) and (A)(9) of 4806  
section 3317.022 of the Revised Code for fiscal year 2016) x 0.96) 4807  
- (The amount calculated in division (A)(3) of the section - the 4808  
sum of the amounts calculated under divisions (A)(8) and (A)(9) of 4809  
section 3317.022 of the Revised Code for fiscal year 2017) 4810

If the result is a negative number, the district's payment 4811  
shall be zero. 4812

(C) If the Superintendent of Public Instruction determines 4813  
that additional appropriations are needed to fully fund the 4814  
supplemental foundation aid computed under this section, the 4815  
Superintendent may request the Director of Budget and Management 4816  
to authorize expenditures from appropriation item 200697, School 4817  
District TPP Supplement, in excess of the amounts appropriated. 4818  
Upon approval of the Director of Budget and Management, the 4819  
additional amounts are hereby appropriated. 4820

If the Superintendent determines that the cash balance of the 4821  
School District TPP Supplement Fund (Fund 5RE0) is insufficient to 4822  
pay the supplemental foundation aid computed under this section, 4823  
at the request of the Superintendent, the Director of Budget and 4824  
Management may transfer cash from the General Revenue Fund to Fund 4825

5RE0 in an amount needed to make up the difference. 4826

**Section 610.21.** That existing Section 263.325 of Am. Sub. 4827  
H.B. 64 of the 131st General Assembly, as amended by Sub. S.B. 208 4828  
of the 131st General Assembly, is hereby repealed. 4829

**Section 733.10.** (A) As used in this section, "eligible 4830  
student" and "qualifying degree, certification, or license" have 4831  
the same meanings as in section 3333.93 of the Revised Code, as 4832  
enacted by this act. 4833

(B) Notwithstanding Section 125.10 of this act, an eligible 4834  
student who is awarded a grant and will not complete a qualifying 4835  
degree, certification, or license before the date the program is 4836  
terminated shall receive the remainder of the grant until the 4837  
student earns a qualifying degree, certification, or license. 4838

**Section 803.10.** An agency that will expire because of the 4839  
operation of section 101.83 of the Revised Code, during the period 4840  
beginning on the effective date of this section and ending on 4841  
December 31, 2016, continues in existence until December 31, 2016, 4842  
unless the agency is earlier repealed after the effective date of 4843  
this section. 4844

It is the intent of this section to postpone, until December 4845  
31, 2016, the expiration of an agency, by operation of the Sunset 4846  
Review Law, sections 101.82 to 101.87 of the Revised Code, until 4847  
the Sunset Review Committee being convened during the 131st 4848  
General Assembly has issued its report under section 101.87 of the 4849  
Revised Code. 4850

**Section 803.20.** The amendment or repeal by this act of 4851  
sections 5726.51, 5726.98, 5733.063, and 5733.98 of the Revised 4852  
Code shall apply to tax years beginning in or after the year in 4853  
which this act takes effect. 4854

**Section 803.30.** The amendment by this act of section 5751.01 4855  
of the Revised Code applies to tax periods beginning on or after 4856  
the effective date of this act. 4857

**Section 806.10.** The items of law contained in this act, and 4858  
their applications, are severable. If any item of law contained in 4859  
this act, or if any application of any item of law contained in 4860  
this act, is held invalid, the invalidity does not affect other 4861  
items of law contained in this and their applications that can be 4862  
given effect without the invalid item of law or application. 4863

**Section 812.10.** This act is declared to be an emergency 4864  
measure necessary for the immediate preservation of the public 4865  
peace, health, and safety. The reason for such necessity is to 4866  
make program and budgetary modifications needed to ensure the 4867  
intent of the recently enacted biennial operating budget is 4868  
fulfilled in a timely fashion. Therefore, this act shall go into 4869  
immediate effect. 4870