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Representative Schuring

Cosponsors: Speaker Rosenberger, Representatives Strahorn, Amstutz, Boyce, Brown, Celebrezze, Cera, Derickson, Driehaus, Hayes, McClain, Slesnick, Sprague, Buchy, Anielski, Antani, Barnes, Boyd, Brenner, Craig, Dever, Dovilla, Ginter, Goodman, Johnson, T., Leland, Maag, Merrin, Perales, Roegner, Romanchuk, Smith, R., Sweeney, Terhar, Thompson, Young, Zeltwanger

A BILL

To amend sections 135.143 and 135.35 and to enact
section 9.75 of the Revised Code to raise the
foreign debt cap from one per cent to two per
cent regarding state interim funds and county
inactive and public library fund investments and
to prohibit a state agency from contracting with
a company that is boycotting Israel.

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

Section 1. That sections 135.143 and 135.35 be amended and
section 9.75 of the Revised Code be enacted to read as follows:

Sec. 9.75. (A) As used in this section:

(1) "Boycotting Israel" means engaging in refusals to
deal, terminating business activities, or other actions that are
intended to limit commercial relations with Israel, or persons
or entities doing business in Israel or Israeli-controlled
territories, in a discriminatory manner. "Boycotting Israel"

does not include boycotts to which 50 U.S.C. 4607(c) applies. 16

(2) "Company" means a sole proprietorship, partnership, corporation, national association, societe anonyme, limited liability company, limited partnership, limited liability partnership, joint venture, or other business organization, including their subsidiaries and affiliates, that operates to earn a profit. 17
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(3) "State agency" means an organized body, office, agency, institution, or other entity established by the laws of the state for the exercise of a function of state government. 23
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(B) A state agency may not enter into or renew a contract with a company for the acquisition or provision of supplies, equipment, or services, or for construction services, unless the contract declares that the company is not boycotting Israel and will not do so during the contract period. 26
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Sec. 135.143. (A) The treasurer of state may invest or execute transactions for any part or all of the interim funds of the state in the following classifications of obligations: 31
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(1) United States treasury bills, notes, bonds, or any other obligations or securities issued by the United States treasury or any other obligation guaranteed as to principal and interest by the United States; 34
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(2) Bonds, notes, debentures, or any other obligations or securities issued by any federal government agency or instrumentality; 38
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(3) (a) Bonds, notes, and other obligations of the state of Ohio, including, but not limited to, any obligations issued by the treasurer of state, the Ohio public facilities commission, the Ohio building authority, the Ohio housing finance agency, 41
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the Ohio water development authority, and the Ohio turnpike 45
infrastructure commission; 46

(b) Bonds, notes, and other obligations of any state or 47
political subdivision thereof rated in the three highest 48
categories by at least one nationally recognized standard rating 49
service and purchased through a registered securities broker or 50
dealer, provided the treasurer of state is not the sole 51
purchaser of the bonds, notes, or other obligations at original 52
issuance. 53

(4) (a) Written repurchase agreements with any eligible 54
Ohio financial institution that is a member of the federal 55
reserve system or federal home loan bank, or any registered 56
United States government securities dealer, under the terms of 57
which agreement the treasurer of state purchases and the 58
eligible financial institution or dealer agrees unconditionally 59
to repurchase any of the securities that are listed in division 60
(A) (1), (2), or (6) of this section. The market value of 61
securities subject to these transactions must exceed the 62
principal value of the repurchase agreement by an amount 63
specified by the treasurer of state, and the securities must be 64
delivered into the custody of the treasurer of state or the 65
qualified trustee or agent designated by the treasurer of state. 66
The agreement shall contain the requirement that for each 67
transaction pursuant to the agreement, the participating 68
institution or dealer shall provide all of the following 69
information: 70

(i) The par value of the securities; 71

(ii) The type, rate, and maturity date of the securities; 72

(iii) A numerical identifier generally accepted in the 73

securities industry that designates the securities. 74

(b) The treasurer of state also may sell any securities, 75
listed in division (A)(1), (2), or (6) of this section, 76
regardless of maturity or time of redemption of the securities, 77
under the same terms and conditions for repurchase, provided 78
that the securities have been fully paid for and are owned by 79
the treasurer of state at the time of the sale. 80

(5) Securities lending agreements with any eligible 81
financial institution that is a member of the federal reserve 82
system or federal home loan bank or any recognized United States 83
government securities dealer, under the terms of which 84
agreements the treasurer of state lends securities and the 85
eligible financial institution or dealer agrees to 86
simultaneously exchange similar securities or cash, equal value 87
for equal value. 88

Securities and cash received as collateral for a 89
securities lending agreement are not interim funds of the state. 90
The investment of cash collateral received pursuant to a 91
securities lending agreement may be invested only in such 92
instruments specified by the treasurer of state in accordance 93
with a written investment policy. 94

(6) Various forms of commercial paper issued by any entity 95
that is organized under the laws of the United States or a 96
state, which notes are rated in the two highest categories by 97
two nationally recognized standard rating services, provided 98
that the total amount invested under this section in any 99
commercial paper at any time shall not exceed forty per cent of 100
the state's total average portfolio, as determined and 101
calculated by the treasurer of state; 102

(7) Bankers acceptances, maturing in two hundred seventy days or less, provided that the total amount invested in bankers acceptances at any time shall not exceed ten per cent of the state's total average portfolio, as determined and calculated by the treasurer of state;

(8) Certificates of deposit in eligible institutions applying for interim moneys as provided in section 135.08 of the Revised Code, including linked deposits as provided in sections 135.61 to 135.67 of the Revised Code, agricultural linked deposits as provided in sections 135.71 to 135.76 of the Revised Code, and housing linked deposits as provided in sections 135.81 to 135.87 of the Revised Code;

(9) The state treasurer's investment pool authorized under section 135.45 of the Revised Code;

(10) Debt interests, other than commercial paper described in division (A)(6) of this section, rated in the three highest categories by two nationally recognized standard rating services and issued by entities that are organized under the laws of the United States or a state, or issued by foreign nations diplomatically recognized by the United States government, or any instrument based on, derived from, or related to such interests, provided that:

(a) The investments in debt interests other than commercial paper shall not exceed in the aggregate twenty-five per cent of the state's portfolio.

(b) The investments in debt interests issued by foreign nations shall not exceed in the aggregate ~~one~~two per cent of the state's portfolio.

The treasurer of state shall invest under division (A)(10)

of this section in a debt interest issued by a foreign nation 132
only if the debt interest is backed by the full faith and credit 133
of that foreign nation, and provided that all interest and 134
principal shall be denominated and payable in United States 135
funds. 136

(c) When added to the investment in commercial paper, the 137
investments in the debt interests of a single issuer shall not 138
exceed in the aggregate five per cent of the state's portfolio. 139

(d) For purposes of division (A) (10) of this section, a 140
debt interest is rated in the three highest categories by two 141
nationally recognized standard rating services if either the 142
debt interest itself or the issuer of the debt interest is 143
rated, or is implicitly rated, in the three highest categories 144
by two nationally recognized standard rating services. 145

(e) For purposes of division (A) (10) of this section, the 146
"state's portfolio" means the state's total average portfolio, 147
as determined and calculated by the treasurer of state. 148

(11) No-load money market mutual funds rated in the 149
highest category by one nationally recognized standard rating 150
service or consisting exclusively of obligations described in 151
division (A) (1), (2), or (6) of this section and repurchase 152
agreements secured by such obligations. 153

(12) Obligations of a political subdivision issued under 154
Chapter 133. of the Revised Code and identified in an agreement 155
described in division (G) of this section. 156

(B) Whenever, during a period of designation, the 157
treasurer of state classifies public moneys as interim moneys, 158
the treasurer of state shall notify the state board of deposit 159
of such action. The notification shall be given within thirty 160

days after such classification and, in the event the state board 161
of deposit does not concur in such classification or in the 162
investments or deposits made under this section, the board may 163
order the treasurer of state to sell or liquidate any of the 164
investments or deposits, and any such order shall specifically 165
describe the investments or deposits and fix the date upon which 166
they are to be sold or liquidated. Investments or deposits so 167
ordered to be sold or liquidated shall be sold or liquidated for 168
cash by the treasurer of state on the date fixed in such order 169
at the then current market price. Neither the treasurer of state 170
nor the members of the state board of deposit shall be held 171
accountable for any loss occasioned by sales or liquidations of 172
investments or deposits at prices lower than their cost. Any 173
loss or expense incurred in making these sales or liquidations 174
is payable as other expenses of the treasurer's office. 175

(C) If any securities or obligations invested in by the 176
treasurer of state pursuant to this section are registrable 177
either as to principal or interest, or both, such securities or 178
obligations shall be registered in the name of the treasurer of 179
state. 180

(D) The treasurer of state is responsible for the 181
safekeeping of all securities or obligations under this section. 182
Any such securities or obligations may be deposited for 183
safekeeping as provided in section 113.05 of the Revised Code. 184

(E) Interest earned on any investments or deposits 185
authorized by this section shall be collected by the treasurer 186
of state and credited by the treasurer of state to the proper 187
fund of the state. 188

(F) Whenever investments or deposits acquired under this 189
section mature and become due and payable, the treasurer of 190

state shall present them for payment according to their tenor, 191
and shall collect the moneys payable thereon. The moneys so 192
collected shall be treated as public moneys subject to sections 193
135.01 to 135.21 of the Revised Code. 194

(G) The treasurer of state and any political subdivision 195
issuing obligations referred to in division (A) (12) of this 196
section, which obligations mature within one year from the 197
original date of issuance, may enter into an agreement providing 198
for: 199

(1) The purchase of those obligations by the treasurer of 200
state on terms and subject to conditions set forth in the 201
agreement; 202

(2) The payment by the political subdivision to the 203
treasurer of state of a reasonable fee as consideration for the 204
agreement of the treasurer of state to purchase those 205
obligations; provided, however, that the treasurer of state 206
shall not be authorized to enter into any such agreement with a 207
board of education of a school district that has an outstanding 208
obligation with respect to a loan received under authority of 209
section 3313.483 of the Revised Code. 210

(H) For purposes of division (G) of this section, a fee 211
shall not be considered reasonable unless it is set to recover 212
only the direct costs, a reasonable estimate of the indirect 213
costs associated with the purchasing of obligations of a 214
political subdivision under division (G) of this section and any 215
reselling of the obligations or any interest in the obligations, 216
including interests in a fund comprised of the obligations, and 217
the administration thereof. No money from the general revenue 218
fund shall be used to subsidize the purchase or resale of these 219
obligations. 220

(I) All money collected by the treasurer of state from the fee imposed by division (G) of this section shall be deposited to the credit of the state political subdivision obligations fund, which is hereby created in the state treasury. Money credited to the fund shall be used solely to pay the treasurer of state's direct and indirect costs associated with purchasing and reselling obligations of a political subdivision under division (G) of this section.

(J) As used in this section, "political subdivision" means a county, township, municipal corporation, or school district.

Sec. 135.35. (A) The investing authority shall deposit or invest any part or all of the county's inactive moneys and shall invest all of the money in the county public library fund when required by section 135.352 of the Revised Code. The following classifications of securities and obligations are eligible for such deposit or investment:

(1) United States treasury bills, notes, bonds, or any other obligation or security issued by the United States treasury, any other obligation guaranteed as to principal or interest by the United States, or any book entry, zero-coupon United States treasury security that is a direct obligation of the United States.

Nothing in the classification of eligible securities and obligations set forth in divisions (A) (2) to (10) of this section shall be construed to authorize any investment in stripped principal or interest obligations of such eligible securities and obligations.

(2) Bonds, notes, debentures, or any other obligations or securities issued by any federal government agency or

instrumentality, including, but not limited to, the federal 250
national mortgage association, federal home loan bank, federal 251
farm credit bank, federal home loan mortgage corporation, and 252
government national mortgage association. All federal agency 253
securities shall be direct issuances of federal government 254
agencies or instrumentalities. 255

(3) Time certificates of deposit or savings or deposit 256
accounts, including, but not limited to, passbook accounts, in 257
any eligible institution mentioned in section 135.32 of the 258
Revised Code; 259

(4) Bonds and other obligations of this state or the 260
political subdivisions of this state; 261

(5) No-load money market mutual funds rated in the highest 262
category at the time of purchase by at least one nationally 263
recognized standard rating service or consisting exclusively of 264
obligations described in division (A)(1), (2), or (6) of section 265
135.143 of the Revised Code and repurchase agreements secured by 266
such obligations, provided that investments in securities 267
described in this division are made only through eligible 268
institutions mentioned in section 135.32 of the Revised Code; 269

(6) The Ohio subdivision's fund as provided in section 270
135.45 of the Revised Code; 271

(7) Securities lending agreements with any eligible 272
institution mentioned in section 135.32 of the Revised Code that 273
is a member of the federal reserve system or federal home loan 274
bank or with any recognized United States government securities 275
dealer meeting the description in division (J)(1) of this 276
section, under the terms of which agreements the investing 277
authority lends securities and the eligible institution or 278

dealer agrees to simultaneously exchange similar securities or	279
cash, equal value for equal value.	280
Securities and cash received as collateral for a	281
securities lending agreement are not inactive moneys of the	282
county or moneys of a county public library fund. The investment	283
of cash collateral received pursuant to a securities lending	284
agreement may be invested only in instruments specified by the	285
investing authority in the written investment policy described	286
in division (K) of this section.	287
(8) Up to twenty-five per cent of the county's total	288
average portfolio in either of the following investments:	289
(a) Commercial paper notes issued by an entity that is	290
defined in division (D) of section 1705.01 of the Revised Code	291
and that has assets exceeding five hundred million dollars, to	292
which notes all of the following apply:	293
(i) The notes are rated at the time of purchase in the	294
highest classification established by at least two nationally	295
recognized standard rating services.	296
(ii) The aggregate value of the notes does not exceed ten	297
per cent of the aggregate value of the outstanding commercial	298
paper of the issuing corporation.	299
(iii) The notes mature not later than two hundred seventy	300
days after purchase.	301
(b) Bankers acceptances of banks that are insured by the	302
federal deposit insurance corporation and that mature not later	303
than one hundred eighty days after purchase.	304
No investment shall be made pursuant to division (A) (8) of	305
this section unless the investing authority has completed	306

additional training for making the investments authorized by 307
division (A) (8) of this section. The type and amount of 308
additional training shall be approved by the treasurer of state 309
and may be conducted by or provided under the supervision of the 310
treasurer of state. 311

(9) Up to fifteen per cent of the county's total average 312
portfolio in notes issued by corporations that are incorporated 313
under the laws of the United States and that are operating 314
within the United States, or by depository institutions that are 315
doing business under authority granted by the United States or 316
any state and that are operating within the United States, 317
provided both of the following apply: 318

(a) The notes are rated in the second highest or higher 319
category by at least two nationally recognized standard rating 320
services at the time of purchase. 321

(b) The notes mature not later than two years after 322
purchase. 323

(10) Debt interests rated at the time of purchase in the 324
three highest categories by two nationally recognized standard 325
rating services and issued by foreign nations diplomatically 326
recognized by the United States government. All interest and 327
principal shall be denominated and payable in United States 328
funds. The investments made under division (A) (10) of this 329
section shall not exceed in the aggregate ~~one~~ two per cent of a 330
county's total average portfolio. 331

The investing authority shall invest under division (A) 332
(10) of this section in a debt interest issued by a foreign 333
nation only if the debt interest is backed by the full faith and 334
credit of that foreign nation, there is no prior history of 335

default, and the debt interest matures not later than five years 336
after purchase. For purposes of division (A) (10) of this 337
section, a debt interest is rated in the three highest 338
categories by two nationally recognized standard rating services 339
if either the debt interest itself or the issuer of the debt 340
interest is rated, or is implicitly rated, at the time of 341
purchase in the three highest categories by two nationally 342
recognized standard rating services. 343

(11) A current unpaid or delinquent tax line of credit 344
authorized under division (G) of section 135.341 of the Revised 345
Code, provided that all of the conditions for entering into such 346
a line of credit under that division are satisfied, or bonds and 347
other obligations of a county land reutilization corporation 348
organized under Chapter 1724. of the Revised Code, if the county 349
land reutilization corporation is located wholly or partly 350
within the same county as the investing authority. 351

(B) Nothing in the classifications of eligible obligations 352
and securities set forth in divisions (A) (1) to (10) of this 353
section shall be construed to authorize investment in a 354
derivative, and no investing authority shall invest any county 355
inactive moneys or any moneys in a county public library fund in 356
a derivative. For purposes of this division, "derivative" means 357
a financial instrument or contract or obligation whose value or 358
return is based upon or linked to another asset or index, or 359
both, separate from the financial instrument, contract, or 360
obligation itself. Any security, obligation, trust account, or 361
other instrument that is created from an issue of the United 362
States treasury or is created from an obligation of a federal 363
agency or instrumentality or is created from both is considered 364
a derivative instrument. An eligible investment described in 365
this section with a variable interest rate payment, based upon a 366

single interest payment or single index comprised of other 367
eligible investments provided for in division (A) (1) or (2) of 368
this section, is not a derivative, provided that such variable 369
rate investment has a maximum maturity of two years. A treasury 370
inflation-protected security shall not be considered a 371
derivative, provided the security matures not later than five 372
years after purchase. 373

(C) Except as provided in division (D) of this section, 374
any investment made pursuant to this section must mature within 375
five years from the date of settlement, unless the investment is 376
matched to a specific obligation or debt of the county or to a 377
specific obligation or debt of a political subdivision of this 378
state, and the investment is specifically approved by the 379
investment advisory committee. 380

(D) The investing authority may also enter into a written 381
repurchase agreement with any eligible institution mentioned in 382
section 135.32 of the Revised Code or any eligible securities 383
dealer pursuant to division (J) of this section, under the terms 384
of which agreement the investing authority purchases and the 385
eligible institution or dealer agrees unconditionally to 386
repurchase any of the securities listed in divisions (D) (1) to 387
(5), except letters of credit described in division (D) (2), of 388
section 135.18 of the Revised Code. The market value of 389
securities subject to an overnight written repurchase agreement 390
must exceed the principal value of the overnight written 391
repurchase agreement by at least two per cent. A written 392
repurchase agreement must exceed the principal value of the 393
overnight written repurchase agreement, by at least two per 394
cent. A written repurchase agreement shall not exceed thirty 395
days, and the market value of securities subject to a written 396
repurchase agreement must exceed the principal value of the 397

written repurchase agreement by at least two per cent and be 398
marked to market daily. All securities purchased pursuant to 399
this division shall be delivered into the custody of the 400
investing authority or the qualified custodian of the investing 401
authority or an agent designated by the investing authority. A 402
written repurchase agreement with an eligible securities dealer 403
shall be transacted on a delivery versus payment basis. The 404
agreement shall contain the requirement that for each 405
transaction pursuant to the agreement the participating 406
institution shall provide all of the following information: 407

(1) The par value of the securities; 408

(2) The type, rate, and maturity date of the securities; 409

(3) A numerical identifier generally accepted in the 410
securities industry that designates the securities. 411

No investing authority shall enter into a written 412
repurchase agreement under the terms of which the investing 413
authority agrees to sell securities owned by the county to a 414
purchaser and agrees with that purchaser to unconditionally 415
repurchase those securities. 416

(E) No investing authority shall make an investment under 417
this section, unless the investing authority, at the time of 418
making the investment, reasonably expects that the investment 419
can be held until its maturity. The investing authority's 420
written investment policy shall specify the conditions under 421
which an investment may be redeemed or sold prior to maturity. 422

(F) No investing authority shall pay a county's inactive 423
moneys or moneys of a county public library fund into a fund 424
established by another subdivision, treasurer, governing board, 425
or investing authority, if that fund was established by the 426

subdivision, treasurer, governing board, or investing authority 427
for the purpose of investing or depositing the public moneys of 428
other subdivisions. This division does not apply to the payment 429
of public moneys into either of the following: 430

(1) The Ohio subdivision's fund pursuant to division (A) 431
(6) of this section; 432

(2) A fund created solely for the purpose of acquiring, 433
constructing, owning, leasing, or operating municipal utilities 434
pursuant to the authority provided under section 715.02 of the 435
Revised Code or Section 4 of Article XVIII, Ohio Constitution. 436

For purposes of division (F) of this section, 437
"subdivision" includes a county. 438

(G) The use of leverage, in which the county uses its 439
current investment assets as collateral for the purpose of 440
purchasing other assets, is prohibited. The issuance of taxable 441
notes for the purpose of arbitrage is prohibited. Contracting to 442
sell securities not owned by the county, for the purpose of 443
purchasing such securities on the speculation that bond prices 444
will decline, is prohibited. 445

(H) Any securities, certificates of deposit, deposit 446
accounts, or any other documents evidencing deposits or 447
investments made under authority of this section shall be issued 448
in the name of the county with the county treasurer or investing 449
authority as the designated payee. If any such deposits or 450
investments are registrable either as to principal or interest, 451
or both, they shall be registered in the name of the treasurer. 452

(I) The investing authority shall be responsible for the 453
safekeeping of all documents evidencing a deposit or investment 454
acquired under this section, including, but not limited to, 455

safekeeping receipts evidencing securities deposited with a 456
qualified trustee, as provided in section 135.37 of the Revised 457
Code, and documents confirming the purchase of securities under 458
any repurchase agreement under this section shall be deposited 459
with a qualified trustee, provided, however, that the qualified 460
trustee shall be required to report to the investing authority, 461
auditor of state, or an authorized outside auditor at any time 462
upon request as to the identity, market value, and location of 463
the document evidencing each security, and that if the 464
participating institution is a designated depository of the 465
county for the current period of designation, the securities 466
that are the subject of the repurchase agreement may be 467
delivered to the treasurer or held in trust by the participating 468
institution on behalf of the investing authority. 469

Upon the expiration of the term of office of an investing 470
authority or in the event of a vacancy in the office for any 471
reason, the officer or the officer's legal representative shall 472
transfer and deliver to the officer's successor all documents 473
mentioned in this division for which the officer has been 474
responsible for safekeeping. For all such documents transferred 475
and delivered, the officer shall be credited with, and the 476
officer's successor shall be charged with, the amount of moneys 477
evidenced by such documents. 478

(J) (1) All investments, except for investments in 479
securities described in divisions (A) (5), (6), and (11) of this 480
section, shall be made only through a member of the financial 481
industry regulatory authority (FINRA), through a bank, savings 482
bank, or savings and loan association regulated by the 483
superintendent of financial institutions, or through an 484
institution regulated by the comptroller of the currency, 485
federal deposit insurance corporation, or board of governors of 486

the federal reserve system. 487

(2) Payment for investments shall be made only upon the 488
delivery of securities representing such investments to the 489
treasurer, investing authority, or qualified trustee. If the 490
securities transferred are not represented by a certificate, 491
payment shall be made only upon receipt of confirmation of 492
transfer from the custodian by the treasurer, governing board, 493
or qualified trustee. 494

(K) (1) Except as otherwise provided in division (K) (2) of 495
this section, no investing authority shall make an investment or 496
deposit under this section, unless there is on file with the 497
auditor of state a written investment policy approved by the 498
investing authority. The policy shall require that all entities 499
conducting investment business with the investing authority 500
shall sign the investment policy of that investing authority. 501
All brokers, dealers, and financial institutions, described in 502
division (J) (1) of this section, initiating transactions with 503
the investing authority by giving advice or making investment 504
recommendations shall sign the investing authority's investment 505
policy thereby acknowledging their agreement to abide by the 506
policy's contents. All brokers, dealers, and financial 507
institutions, described in division (J) (1) of this section, 508
executing transactions initiated by the investing authority, 509
having read the policy's contents, shall sign the investment 510
policy thereby acknowledging their comprehension and receipt. 511

(2) If a written investment policy described in division 512
(K) (1) of this section is not filed on behalf of the county with 513
the auditor of state, the investing authority of that county 514
shall invest the county's inactive moneys and moneys of the 515
county public library fund only in time certificates of deposits 516

or savings or deposit accounts pursuant to division (A) (3) of 517
this section, no-load money market mutual funds pursuant to 518
division (A) (5) of this section, or the Ohio subdivision's fund 519
pursuant to division (A) (6) of this section. 520

(L) (1) The investing authority shall establish and 521
maintain an inventory of all obligations and securities acquired 522
by the investing authority pursuant to this section. The 523
inventory shall include a description of each obligation or 524
security, including type, cost, par value, maturity date, 525
settlement date, and any coupon rate. 526

(2) The investing authority shall also keep a complete 527
record of all purchases and sales of the obligations and 528
securities made pursuant to this section. 529

(3) The investing authority shall maintain a monthly 530
portfolio report and issue a copy of the monthly portfolio 531
report describing such investments to the county investment 532
advisory committee, detailing the current inventory of all 533
obligations and securities, all transactions during the month 534
that affected the inventory, any income received from the 535
obligations and securities, and any investment expenses paid, 536
and stating the names of any persons effecting transactions on 537
behalf of the investing authority. 538

(4) The monthly portfolio report shall be a public record 539
and available for inspection under section 149.43 of the Revised 540
Code. 541

(5) The inventory and the monthly portfolio report shall 542
be filed with the board of county commissioners. The monthly 543
portfolio report also shall be filed with the treasurer of 544
state. 545

(M) An investing authority may enter into a written 546
investment or deposit agreement that includes a provision under 547
which the parties agree to submit to nonbinding arbitration to 548
settle any controversy that may arise out of the agreement, 549
including any controversy pertaining to losses of public moneys 550
resulting from investment or deposit. The arbitration provision 551
shall be set forth entirely in the agreement, and the agreement 552
shall include a conspicuous notice to the parties that any party 553
to the arbitration may apply to the court of common pleas of the 554
county in which the arbitration was held for an order to vacate, 555
modify, or correct the award. Any such party may also apply to 556
the court for an order to change venue to a court of common 557
pleas located more than one hundred miles from the county in 558
which the investing authority is located. 559

For purposes of this division, "investment or deposit 560
agreement" means any agreement between an investing authority 561
and a person, under which agreement the person agrees to invest, 562
deposit, or otherwise manage, on behalf of the investing 563
authority, a county's inactive moneys or moneys in a county 564
public library fund, or agrees to provide investment advice to 565
the investing authority. 566

(N) (1) An investment held in the county portfolio on 567
September 27, 1996, that was a legal investment under the law as 568
it existed before September 27, 1996, may be held until 569
maturity. 570

(2) An investment held in the county portfolio on 571
September 10, 2012, that was a legal investment under the law as 572
it existed before September 10, 2012, may be held until 573
maturity. 574

Section 2. That existing sections 135.143 and 135.35 of 575

the Revised Code are hereby repealed.

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