

Am. Sub. H.B. 166
As Passed by the Senate
FCCCD11

_____ moved to amend as follows:

In line 43 of the title, after "3317.40," insert "3318.036," 1

In line 159 of the title, after "3317.28," insert "3318.037," 2

In line 254, after "3317.40," insert "3318.036," 3

In line 338, after "3317.28," insert "3318.037," 4

After line 31816, insert: 5

"**Sec. 3318.036.** (A) For purposes of this section: 6

(1) "Eligible school district" is a city, local, or exempted 7
village school district that satisfies both of the following 8
conditions: 9

(a) The district is either of the following: 10

(i) A district that resulted from one of the following that 11
became effective between July 1, 2013, and June 30, 2018: 12

~~(i)~~(I) A transfer of all of the territory of one school 13
district to another school district in accordance with section 14
3311.22, 3311.231, 3311.24, or 3311.38 of the Revised Code; 15

~~(ii)~~(II) The merger of two or more districts in accordance 16
with section 3311.25 of the Revised Code; 17

~~(iii)~~(III) The creation of a new local school district from all of one or more local school districts in accordance with section 3311.26 of the Revised Code;

~~(iv)~~(IV) The consolidation of two or more school districts under section 3311.37 of the Revised Code.

(ii) A district that intends to build a new school building on land originally owned by a state community college, as that term is defined in section 3358.01 of the Revised Code, with the intention of collaboratively working with the state community college on workforce development programs and curriculum.

(b) The district has demonstrated to the Ohio facilities construction commission an efficient use of facility space, including a reduction in the number of buildings used by students and administrative staff.

(2) "Basic project cost" and "required percentage of the basic project cost" have the same meanings as in section 3318.01 of the Revised Code.

(B) Notwithstanding anything to the contrary in this chapter:

(1) If the commission determines that a district is an eligible school district, the commission shall give that district first priority for funding for a project under sections 3318.01 to 3318.20 of the Revised Code as such funds become available, regardless of the district's percentile rank under section 3318.011 of the Revised Code. If the district results from a transfer, merger, consolidation, or creation of a new local district that takes effect prior to April 6, 2017, the district's portion of the basic project cost shall be the required percentage of the basic project cost based on the percentile ranking of the district that was transferred, merged, consolidated, or existed

prior to the creation of the new district that has the lowest
three-year average adjusted valuation per pupil, as calculated
under section 3318.011 of the Revised Code, on the date that the
transfer, merger, consolidation, or creation of the new district
became effective.

(2) If an eligible school district is given priority under
division (B)(1) of this section, the commission may reduce that
district's portion of the basic project cost by twenty-five
percentage points from the portion determined under section
3318.032 of the Revised Code or, if the district results from a
transfer, merger, consolidation, or creation of a new local
district that takes effect prior to April 6, 2017, from the
portion determined under division (B)(1) of this section. At no
time, however, shall that district's portion of the basic project
cost be less than five per cent.

(3) If an eligible school district is given priority under
division (B)(1) of this section, the commission may reduce that
district's portion of the basic project cost by ten percentage
points from the portion determined under section 3318.032 of the
Revised Code or, if the district results from a transfer, merger,
consolidation, or creation of a new local district that takes
effect prior to April 6, 2017, from the portion determined under
division (B)(1) of this section, if the district's project
satisfies the following conditions:

(a) The project involves construction of a building on land
owned by a state institution of higher education, as that term is
defined in section 3345.011 of the Revised Code, or on land
originally owned by a state community college, as that term is
defined in section 3358.01 of the Revised Code, with the intention
of collaboratively working with the state community college on

workforce development programs and curriculum, and the commission 77
 approves the project. 78

(b) The district and the state institution of higher 79
 education enter into a written agreement regarding the continued 80
 use of the institution's land by the district, and the commission 81
 approves the agreement. Division (B)(3)(b) of this section does 82
not apply to a district that satisfies the condition described in 83
division (A)(1)(a)(ii) of this section. 84

(c) On the date that the district and the state institution 85
 of higher education enter into the written agreement described in 86
 division (B)(3)(b) of this section, the state institution of 87
 higher education is participating in the college credit plus 88
 program established under Chapter 3365. of the Revised Code. 89
Division (B)(3)(c) of this section does not apply to a district 90
that satisfies the condition described in division (A)(1)(a)(ii) 91
of this section. 92

At no time, however, shall that district's portion of the 93
 basic project cost be less than five per cent. 94

The reduction of the district's portion of the basic project 95
 cost described in division (B)(3) of this section may be in 96
 addition to a reduction of the district's portion of the basic 97
 project cost under division (B)(2) of this section. 98

(C) Except as provided in division (B) of this section, a 99
 district's project undertaken pursuant to this section shall be 100
 subject to all other requirements in sections 3318.01 to 3318.20 101
 of the Revised Code. 102

Sec. 3318.037. (A) For purposes of this section: 103

(1) "Basic project cost," "percentile," and "school 104
district's portion of the basic project cost" have the same 105

meanings as in section 3318.01 of the Revised Code. 106

(2) "Eligible school district" is a city, local, or exempted village school district that satisfies all of the following conditions: 107
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(a) The district intends to build new classroom facilities on land originally owned by a state community college, as that term is defined in section 3358.01 of the Revised Code, with the intention of collaboratively working with the state community college on workforce development programs and curriculum. 110
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(b) The district has previously participated in the school building assistance expedited local partnership program established under section 3318.36 of the Revised Code but did not construct any new facilities as part of that program. 115
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(c) The district reapplies for the expedited local partnership program between January 1, 2019, and July 1, 2020. 119
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(B) Notwithstanding anything to the contrary in this chapter, if an eligible school district reapplies for the expedited local partnership program between January 1, 2019, and July 1, 2020, and subsequently enters into a new agreement for that program, both of the following shall occur: 121
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(1) The district shall retain its percentile ranking that was determined at the time the district entered into its initial agreement under the expedited local partnership program. 126
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(2) The Ohio facilities construction commission shall give that district first priority for funding for a project under sections 3318.01 to 3318.20 of the Revised Code as such funds become available, regardless of the district's percentile rank under section 3318.011 of the Revised Code, and the district's portion of the basic project cost under sections 3318.01 to 129
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3318.20 of the Revised Code shall be the same percentage of the 135
basic project cost as under its initial agreement under the 136
expedited local partnership program." 137

In line 82844, after "3317.40," insert "3318.036," 138

The motion was _____ agreed to.

SYNOPSIS

Percentile rankings and priority for school facilities 139
projects for certain districts that participated in the Expedited 140
Local Partnership Program 141

R.C. 3318.037 142

Restores a provision of the House-passed version of the bill 143
that does both of the following: 144

--Specifies that a city, local, or exempted village school 145
district retain its percentile ranking that was determined at the 146
time the district entered into its initial agreement under the 147
Expedited Local Partnership Program (ELPP) if the district 148
satisfies all of the following conditions: 149

(1) The district intends to build new classroom facilities on 150
land originally owned by a state community college with the 151
intention of collaboratively working with the state community 152
college on workforce development programs and curriculum; 153

(2) The district has previously participated in ELPP but did 154
not construct any new facilities as part of that Program; 155

(3) The district reapplies for ELPP between January 1, 2019, 156
and July 1, 2020, and subsequently enters into a new agreement for 157

that Program. 158

--Specifies that (1) the Ohio Facilities Construction Commission must give first priority for funding for a Classroom Facilities Assistance Program (CFAP) project to districts that satisfy the conditions described above as such funds become available and (2) those districts' portions of the basic project cost of CFAP projects must be the same percentage of the basic project cost as under their initial agreements under ELPP. 159
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Reductions in the portion of the total cost of school facilities projects for certain school districts 166
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R.C. 3318.036 168

Restores a provision of the House-passed version of the bill that does both of the following: 169
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--Specifies that the Commission must give first priority for CFAP projects to a city, local, or exempted village school district that intends to build a new school building on land originally owned by a state community college with the intention of collaboratively working with the state community college on workforce development programs and curriculum. 171
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--Permits the Commission to reduce such a district's portion of the total cost of the project by up to 25 percentage points, provided the district's portion is at least 5%. 177
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