

Am. S. B. No. 310  
As Passed by the Senate

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "To" insert "amend section 5540.03 of the Revised Code to" 1 2

In line 3 of the title, after "subdivisions," insert "to apply the Prevailing Wage Law to transportation improvement district projects under certain circumstances," 3 4 5

After line 4, insert: 6

"**Section 1.** That section 5540.03 of the Revised Code be amended to read as follows: 7 8

**Sec. 5540.03.** (A) A transportation improvement district may: 9 10

(1) Adopt bylaws for the regulation of its affairs and the conduct of its business; 11 12

(2) Adopt an official seal; 13

(3) Sue and be sued in its own name, plead and be impleaded, provided any actions against the district shall be brought in the court of common pleas of the county in which the principal office of the district is located, or in the court of 14 15 16 17



common pleas of the county in which the cause of action arose,	18
and all summonses, exceptions, and notices of every kind shall	19
be served on the district by leaving a copy thereof at its	20
principal office with the secretary-treasurer;	21
(4) Purchase, construct, maintain, repair, sell, exchange,	22
police, operate, or lease projects;	23
(5) Issue either or both of the following for the purpose	24
of providing funds to pay the costs of any project or part	25
thereof:	26
(a) Transportation improvement district revenue bonds;	27
(b) Bonds pursuant to Section 13 of Article VIII, Ohio	28
Constitution <del>7</del> .	29
(6) Maintain such funds as it considers necessary;	30
(7) Direct its agents or employees, when properly	31
identified in writing and after at least five days' written	32
notice, to enter upon lands within its jurisdiction to make	33
surveys and examinations preliminary to the location and	34
construction of projects for the district, without liability of	35
the district or its agents or employees except for actual damage	36
done;	37
(8) Make and enter into all contracts and agreements	38
necessary or incidental to the performance of its functions and	39
the execution of its powers under this chapter;	40
(9) Employ or retain or contract for the services of	41
consulting engineers, superintendents, managers, and such other	42
engineers, construction and accounting experts, financial	43
advisers, trustees, marketing, remarketing, and administrative	44
agents, attorneys, and other employees, independent contractors,	45

or agents as are necessary in its judgment and fix their 46  
compensation, provided all such expenses shall be payable solely 47  
from the proceeds of bonds or from revenues; 48

(10) Receive and accept from the federal or any state or 49  
local government, including, but not limited to, any agency, 50  
entity, or instrumentality of any of the foregoing, loans and 51  
grants for or in aid of the construction, maintenance, or repair 52  
of any project, and receive and accept aid or contributions from 53  
any source or person of money, property, labor, or other things 54  
of value, to be held, used, and applied only for the purposes 55  
for which such loans, grants, and contributions are made. 56  
Nothing in division (A) (10) of this section shall be construed 57  
as imposing any liability on this state for any loan received by 58  
a transportation improvement district from a third party unless 59  
this state has entered into an agreement to accept such 60  
liability. 61

(11) Acquire, hold, and dispose of property in the 62  
exercise of its powers and the performance of its duties under 63  
this chapter; 64

(12) Establish and collect tolls or user charges for its 65  
projects; 66

(13) Subject to section 5540.18 of the Revised Code, enter 67  
into an agreement with a contiguous board of county 68  
commissioners other than the board of county commissioners that 69  
created the transportation improvement district, for the 70  
district to exercise all or any portion of its powers with 71  
respect to a project that is located wholly or partially within 72  
the county that is party to the agreement; 73

(14) Do all acts necessary and proper to carry out the 74

powers expressly granted in this chapter. 75

(B) (1) Chapters 123., 124., 125., and 153.,~~and 4115.,~~ and 76  
sections 9.331 to 9.335 and 307.86 of the Revised Code do not 77  
apply to contracts or projects of a transportation improvement 78  
district. 79

(2) A transportation improvement district is subject to 80  
sections 4115.03 to 4115.21 and 4115.99 of the Revised Code, 81  
unless the amount of state or local government funds, including, 82  
but not limited to, those provided by any agency, entity, or 83  
instrumentality of the state or a local government as described 84  
in division (A) (10) of this section received for the contract or 85  
project, is, in the aggregate, less than the amounts described 86  
in or calculated under section 4115.03 of the Revised Code. 87

**Section 2.** That existing section 5540.03 of the Revised 88  
Code is hereby repealed." 89

In line 5, delete "1" and insert "3" 90

In line 36, delete "2" and insert "4" 91

In line 130, delete "2" and insert "4" 92

In line 141, delete "1" and insert "3" 93

In line 154, delete "3" and insert "5" 94

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 95

**Transportation improvement districts** 96

**R.C. 5540.03**

97

Requires a transportation improvement district to comply 98  
with the state Prevailing Wage Law, unless the amount of state 99  
and local funds the district expends on the contract or project 100  
is less than statutory thresholds specified in the Law. 101