In line 1 of the title, after "3313.14" insert ", 3313.25"

In line 2 of the title, after "3313.903" insert ", 3314.011"

In line 9 of the title, after "zones," insert "to revise the law on community school fiscal officer liability,"

In line 11, after "3313.14" insert ", 3313.25"

In line 12, after "3313.903" insert ", 3314.011"

After line 106, insert:

"Sec. 3313.25. (A) Except as otherwise provided in section 3.061 of the Revised Code, before entering upon the duties of office, the treasurer of each school district board of education or educational service center governing board shall execute a bond, in an amount and with surety to be approved by the board, payable to the state, conditioned for the faithful performance of all the official duties required of the treasurer. Such bond must be deposited with the president of the board, and a copy thereof, certified by the president, shall be filed with the county auditor.

(B)(1) A treasurer shall not be held liable for a loss of public funds when the treasurer has performed all official duties required of the treasurer with reasonable care, but shall be
liable only when a loss of public funds results from the treasurer's negligence or other wrongful act.

(2) The department of education shall not consider the loss of public funds not resulting from the treasurer's negligence or other wrongful act a violation of the treasurer's professional duties, provided the treasurer has performed all official duties required of the treasurer with reasonable care."

After line 305, insert:

"Sec. 3314.011. (A) Every community school established under this chapter shall have a designated fiscal officer. Except as provided for in division (C)(D) of this section, the fiscal officer shall be employed by or engaged under a contract with the governing authority of the community school.

(B) Except as otherwise provided in section 3.061 of the Revised Code, the auditor of state shall require that the fiscal officer of any community school, before entering upon duties as fiscal officer of the school, execute a bond in an amount and with surety to be approved by the governing authority of the school, payable to the state, conditioned for the faithful performance of all the official duties required of the fiscal officer. The bond shall be deposited with the governing authority of the school, and a copy thereof, certified by the governing authority, shall be filed with the county auditor.

(C)(1) A fiscal officer shall not be held liable for a loss of public funds when the fiscal officer has performed all official duties required of the fiscal officer with reasonable care, but shall be liable only when a loss of public funds results from the fiscal officer's negligence or other wrongful act.

(2) The department of education shall not consider the loss
of public funds not resulting from the fiscal officer's negligence or other wrongful act a violation of the fiscal officers's professional duties, provided the fiscal officer has performed all official duties required of the fiscal officer with reasonable care.

(3) Except as provided for in division (C) of section 3314.17 of the Revised Code, no fiscal officer shall be liable for a loss of public funds that results from a fiscal officer's reliance on the accuracy of nonfinancial information or data of the community school, including reports in the education management information system under section 3301.0714 of the Revised Code, student transportation reports, and licensure or other credentialing information, unless the loss results from the fiscal officer's negligence or other wrongful act.

(4) To the extent that a fiscal officer is required to receive written statements from the community school's chief administrative officer that a teacher has filed required reports and a legal educator license, or true copy of it, prior to payment to the teacher for services, no fiscal officer shall be liable for a loss of public funds for any payments to the teacher that are made by the fiscal officer, unless the loss results from the fiscal officer's own negligence or other wrongful act.

(D) Prior to assuming the duties of fiscal officer, the fiscal officer designated under this section shall be licensed under section 3301.074 of the Revised Code. Any person serving as a fiscal officer of a community school on March 22, 2013, who is not licensed as a treasurer shall be permitted to serve as a fiscal officer for not more than one year following March 22, 2013. Beginning on that date and thereafter, no community school shall permit any individual to serve as a fiscal officer without a
license as required by this section.

(D)(1)(E)(1) The governing authority of a community school may adopt a resolution waiving the requirement that the governing authority is the party responsible to employ or contract with the designated fiscal officer, as prescribed by division (A) of this section, so long as the school's sponsor also approves the resolution. The resolution shall be valid for one year. A new resolution shall be adopted for each year that the governing authority wishes to waive this requirement, so long as the school's sponsor also approves the resolution.

No resolution adopted pursuant to this division may waive the requirement for a community school to have a designated fiscal officer.

(2) If the governing authority adopts a resolution pursuant to division (D)(1)(E)(1) of this section, the school's designated fiscal officer annually shall meet with the governing authority to review the school's financial status.

(3) The governing authority shall submit to the department of education a copy of each resolution adopted pursuant to division (D)(1)(E)(1) of this section."

In line 1990, after "3313.14" insert ", 3313.25"

In line 1991, after "3313.903" insert ", 3314.011"

In line 1999, delete "Section 5709.82 of the Revised Code is"

Delete lines 2000 through 2007 and insert "The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting
versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 3313.25 of the Revised Code as amended by both H.B. 291 and H.B. 491 of the 132nd General Assembly.

Section 5709.82 of the Revised Code is as amended by both H.B. 182 and H.B. 233 of the 131st General Assembly."

The motion was __________ agreed to.

SYNOPSIS

Community school fiscal officer liability

R.C. 3313.25 and 3314.011

Clarifies that the law regarding school treasurer liability applies to a treasurer of either a school district board of education or an educational service center (ESC) governing board. (Current law specifies that the statute's provisions apply to the treasurer of a "board of education," which likely includes an ESC governing board.)

In the same manner as under current law for school district and educational service center treasurers, protects a community school fiscal officer from liability for loss of public funds who has performed the officer's duties without the officer's own negligence or wrong doing.