A B I L L

To amend sections 133.13 and 727.01 and to enact sections 122.09, 122.091, 122.092, 122.093, 122.094, 122.095, 122.096, 122.097, 122.098, 122.099, 122.0910, 122.0911, 122.0912, 122.0913, 122.0914, 122.0915, 122.0916, 122.0917, 122.0918, 122.0920, 122.0921, 122.0923, 122.0927, 122.0929, 303.251, and 505.881 of the Revised Code to establish the residential broadband expansion program and to make an appropriation.

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

Section 1. That sections 133.13 and 727.01 be amended and sections 122.09, 122.091, 122.092, 122.093, 122.094, 122.095, 122.096, 122.097, 122.098, 122.099, 122.0910, 122.0911, 122.0912, 122.0913, 122.0914, 122.0915, 122.0916, 122.0917, 122.0918, 122.0920, 122.0921, 122.0923, 122.0927, 122.0929, 303.251, and 505.881 of the Revised Code be enacted to read as follows:
Sec. 122.09. As used in sections 122.09 to 122.0929 of the Revised Code:

(A) "Broadband funding gap" means the difference between the total amount of money a broadband provider calculates is necessary to construct the last mile of a specific broadband network and the total amount of money that the provider has determined is the maximum amount of money that is cost effective for the provider to invest in last mile construction for that network.

(B)(1) "Broadband provider" means one of the following:

(a) A video service provider as defined in section 1332.21 of the Revised Code;

(b) A provider that is capable of providing broadband service and is one of the following:

(i) A telecommunications service provider;

(ii) A satellite broadcasting service provider;

(iii) A wireless service provider as defined in section 4927.01 of the Revised Code.

(2) "Broadband provider" does not include a governmental or quasi-governmental entity.

(C) "Broadband service" means high-speed internet access service capable of providing a minimum download speed of ten megabits per second and a minimum upload speed of one megabit per second.

(D) "Eligible area" means a residential area within the boundaries of a municipal corporation or township that is without access to broadband service. An eligible area excludes
any area that has received, or is designated to receive, funds through any other state or federally funded grant programs designed specifically to encourage broadband deployment.

(E) "Last mile" means the last portion of a physical broadband network that connects an eligible area to the broader network used to provide broadband service. "Last mile" includes other network infrastructure needed within the eligible area to provide broadband service to end users in the eligible area.

(F) "Project sponsor" means a municipal corporation or township that is applying for, or participating in, the residential broadband expansion program established under sections 122.091 to 122.0929 of the Revised Code in order to provide broadband service to an eligible area.

(G) "Satellite broadcasting service" has the same meaning as in section 5739.01 of the Revised Code.

(H) "Telecommunications service" has the same meaning as in section 1332.21 of the Revised Code.

Sec. 122.091. The director of development services shall establish a residential broadband expansion program to provide funds to assist with residential broadband service expansion projects in eligible areas. Subject to the availability of funds authorized for this purpose, the development services agency shall provide grants to project sponsors that apply under the program to meet broadband funding gaps.

Sec. 122.092. A project sponsor may apply for funds under the residential broadband expansion program established under sections 122.091 to 122.095 of the Revised Code for the purpose of providing broadband service to eligible areas within the municipal corporation or township.
Sec. 122.093. (A) Each fiscal year, the development services agency shall fund applications for residential broadband expansion projects until program funds for that fiscal year are no longer available. Except as provided in rules adopted by the director, funding for applications shall be provided on a first-come, first-served basis in an amount that is equal to one-third of the total amount of the broadband funding gap for each project. The cumulative total of the grants for a biennium shall not exceed two million dollars.

(B) Any application pending at the end of the fiscal year shall be deemed denied, but may be refiled in a subsequent fiscal year provided that all information in the application is still current or has been updated.

Sec. 122.094. (A) Each fiscal year, the director of development services shall accept applications from project sponsors that are requesting funding under the residential broadband expansion program established under sections 122.091 to 122.095 of the Revised Code. To apply for a grant, a project sponsor shall submit an application to the director on a form prescribed by the director. The director shall review applications in the order that they are received and shall approve each complete application within sixty days after receiving it.

(B) If an application is incomplete, the director shall notify the application's project sponsor. The notification shall list what information is incomplete and shall describe the procedure for refiling a completed application. If an application is completed and refiled not later than thirty days after the date of the notification, the director shall review the application as provided in section 122.093 of the Revised Code.
Sec. 122.095. A residential broadband expansion program application shall include, at a minimum, the following information:

(A) The location and description of the residential broadband expansion project;

(B) The project sponsor's determination that the location of the project qualifies as an eligible area;

(C) The amount of the broadband funding gap and the amount of state funds requested;

(D) A copy of the ordinance or resolution enacted or adopted under section 122.0914 of the Revised Code by the legislative authority of the project sponsor;

(E) If county funds are used to meet the requirements of division (A)(2) of section 122.096 of the Revised Code, a copy of the resolution or memorandum of understanding adopted under section 122.0916 of the Revised Code by the board of county commissioners of the county in which the project is located;

(F) A copy of the agreement between the project sponsor and a broadband provider, or a written acknowledgment of the agreement, that confirms the provider's commitment to construct the broadband infrastructure in the eligible area of the project in exchange for payment of the total amount of the broadband funding gap upon completion of the project;

(G) Any other information, prescribed by rule, that the director determines is necessary.
Sec. 122.096. (A) A residential broadband expansion project under sections 122.09 to 122.0929 of the Revised Code shall not proceed unless funding in an amount equal to the broadband funding gap has been approved.

The broadband funding gap shall be funded as follows:

(1) One-third of the total amount of the broadband funding gap shall be funded by a residential broadband expansion grant under sections 122.091 to 122.095 of the Revised Code.

(2) (a) The remaining two-thirds of the total amount of the broadband funding gap shall be funded by the project sponsor and county in proportions proposed by the project sponsor and agreed to by the legislative authority of the project sponsor and the board of county commissioners.

(b) If a project sponsor funds, in its entirety, the remaining two-thirds of the total amount of the broadband funding gap, the board of county commissioners is not required to agree to the project funding or adopt a resolution or memorandum of understanding under section 122.0916 of the Revised Code.

(B) The following apply regarding the project sponsor share and the county share of the amount of the broadband funding gap agreed to under division (A)(2) of this section:

(1) The total amount may be funded from any combination of the following:

(a) General revenue funds of the municipal corporation, township, or county;

(b) Other discretionary funds of the municipal corporation, township, or county;
(c) Contributions from individuals, organizations, or companies;

(d) Property tax assessments made by the municipal corporation under Chapter 727. of the Revised Code, township under section 505.881 of the Revised Code, or county under section 303.251 of the Revised Code;

(e) Other grant funds.

(2) The amount agreed to under division (A)(2) of this section shall not be funded by any broadband expansion grant from the connect America fund or any other state or federal broadband expansion funds.

(C) In the event that the broadband provider selected under division (H) of section 122.098 of the Revised Code is a video service provider that collects and remits video service provider fees to the legislative authority of the project sponsor pursuant to section 1332.32 of the Revised Code, the project sponsor, by mutual consent with the selected provider and with the consent of the legislative authority of the project sponsor, may enter into an arrangement to designate video service provider fees remitted by the selected provider for payment of some or all of the project sponsor share of the broadband funding gap.

Sec. 122.097. (A) Before submitting a residential broadband expansion program application to the development services agency pursuant to section 122.095 of the Revised Code, a project sponsor shall do the following:

(1) Identify the eligible area of the residential broadband expansion project for which the project sponsor will apply for matching funds:
(2) Develop technical requirements for the project, including the requirement that the project be capable of providing broadband service within two years from the date that the development services agency approves the project application;

(3) Conduct a competitive sealed proposal process pursuant to section 122.098 of the Revised Code to select a broadband provider capable of providing broadband service to the eligible area and willing to enter into an agreement with the project sponsor to construct and install the necessary broadband infrastructure for the project;

(4) Determine whether the project sponsor has available sufficient project funds to fund the project sponsor share of the broadband funding gap for the project;

(5) Determine the availability of county funds for the county share of the project.

(B) All requirements described in division (A)(2) of this section shall be competitively neutral.

Sec. 122.098. (A) A project sponsor may award funding for a residential broadband expansion project to an eligible broadband provider pursuant to a competitive sealed proposal process under which the project sponsor makes a request for proposals.

(B) The request for proposals shall specify the project requirements as determined in division (A) of section 122.097 of the Revised Code.

(C) Proposals shall meet the requirements of section 122.099 of the Revised Code.
(D) The project sponsor shall provide notice of the request for proposals in accordance with procedures adopted by the municipal corporation or township, as applicable.

(E)(1) Proposals shall be opened so as to avoid disclosure of contents to competing providers. In order to ensure fair and impartial evaluation, proposals and related documents submitted in response to a request for proposals shall not be available for public inspection and copying under section 149.43 of the Revised Code while the project sponsor is reviewing them.

(2) After a provider is selected, the project sponsor shall allow the provider three business days to notify the project sponsor of any information in the provider's proposal, and related documents submitted with it, that the provider considers to be proprietary or a trade secret. Upon such notification from the provider, the project sponsor shall redact or otherwise remove that information from the proposal and documents.

(3) The proposal and related documents submitted by the selected provider shall be available for public inspection and copying under section 149.43 of the Revised Code after the three-day period described in division (E)(2) of this section.

(4) Proposals and related documents submitted by other providers not selected by the project sponsor shall not be available for public inspection and copying under section 149.43 of the Revised Code.

(F) If provided for in the request for proposals or in the procedures adopted by the municipal corporation or township, as applicable, discussions may be conducted with eligible broadband providers that submit proposals determined to be reasonably
susceptible of being selected for an award for the purpose of ensuring full understanding of, and responsiveness to, project requirements. Providers shall be accorded fair and equal treatment with respect to any opportunity for discussion regarding any clarification, correction, or revision of proposals. No disclosure of any information derived from proposals submitted by competing providers shall occur when discussions are conducted.

(G) A sealed copy of each competitive sealed proposal shall be filed with the project sponsor prior to the time specified in the notice for opening of the proposals. All competitive sealed proposals shall be publicly opened in the office of the project sponsor at the time specified in the notice. A representative of the county auditor shall be present at the opening of all competitive sealed proposals and shall certify the opening of each competitive sealed proposal. No competitive sealed proposal shall be considered valid unless it is so certified.

(H) Upon receiving the proposals, the project sponsor shall analyze them, select the proposal that is determined to be the proposal that best meets the requirements of division (B) of this section and section 122.099 of the Revised Code, and award the project to the provider that submitted that proposal. In addition to reviewing project requirements, the project sponsor, when analyzing the proposals, may take into consideration the criteria set forth in the request for proposals issued under this section and section 122.099 of the Revised Code. The project sponsor's records for the selected proposal shall contain the basis on which the award is made.

Sec. 122.099. (A) Each broadband provider responding to a
request for proposals under section 122.098 of the Revised Code shall submit a sealed proposal to the project sponsor that includes the following:

(1) A description of, or documentation demonstrating, the provider's managerial and technical expertise and experience with broadband service projects;

(2) Whether the provider plans to use wired, wireless, or satellite technology to complete the project;

(3) A description of the scalability of the project;

(4) The megabit-per-second broadband download and upload speeds planned for the project;

(5) A description of the provider's customer service capabilities, including any locally based call centers or customer service offices;

(6) A copy of the provider's general customer service policies, including any policy to credit customers for service outages or the provider's failure to keep scheduled appointments for service;

(7) An assurance that the provider will provide broadband service to all of the residences listed in its proposal;

(8) The length of time that the provider has been operating in the state;

(9) The broadband funding gap amount that the provider will accept to complete the project;

(10) Proof that the provider has the financial stability to complete the project.

(B) To meet the requirement to provide proof of financial
stability under this section, a provider may submit publicly
available financial statements with its proposal.

Sec. 122.0910. (A) A project sponsor may require all
proposals submitted pursuant to sections 122.098 and 122.099 of
the Revised Code to be accompanied by a performance bond, letter
of credit, or other financial assurance acceptable to the
legislative authority of the project sponsor. The bond, letter
of credit, or assurance shall be in the sum, and with the
sureties, that the legislative authority prescribes and shall be
payable to the municipality or township, as applicable.

(B)(1) The bond, letter of credit, or assurance may
include the condition that the provider submitting the proposal,
if the proposal is accepted, will faithfully execute the terms
of the agreement with the project sponsor and complete the
project.

(2) The purpose of the performance bond, letter of credit,
or other financial assurance is to assure construction of the
project's broadband infrastructure. The bond, letter of credit,
or assurance shall not be required after project construction is
complete.

Sec. 122.0911. After selecting an eligible broadband
provider for a residential broadband expansion project, the
project sponsor and the provider may enter into an agreement.
The agreement shall specify the following:

(A) That the provider shall construct and install last
mile broadband infrastructure to a specific eligible area of the
municipal corporation or township, as applicable;

(B) That if any portion of the project sponsor's share of
the project payment will be from video service provider fees as
provided in division (C) of section 122.096 of the Revised Code, the agreement under this section shall include a description of the payment arrangement entered into pursuant to division (C) of section 122.096 of the Revised Code.

(C) That, upon completion of the project, the project sponsor shall remit to the provider a payment in the amount of the broadband funding gap applicable to the eligible area as determined under sections 122.096 to 122.099 of the Revised Code.

(D) That the project sponsor, with the consent of the legislative authority of the project sponsor, may negotiate and agree to alternate payment terms with a provider. Under any alternate payment terms, unless otherwise negotiated, the legislative authority of the project sponsor shall assume all financial responsibility for any project costs incurred by the provider prior to completion of the project or the award of any state funds under sections 122.091 to 122.094 of the Revised Code.

Sec. 122.0912. An agreement under section 122.0911 of the Revised Code is all of the following:

(A) Subject to the approval of the legislative authority of the project sponsor;

(B) Contingent upon the distribution of funds approved for a project as provided in sections 122.094, 122.095, 122.096, and 122.0914 of the Revised Code;

(C) Prohibited from regulating the rates, terms, and conditions of broadband service, requiring a pricing commitment, or requiring open access to the network.

Sec. 122.0913. After establishing the terms of an
agreement under section 122.0911 of the Revised Code, the project sponsor shall develop a project plan, which, at a minimum, shall include the following:

(A) A specific description of the eligible area to receive broadband service under the project;

(B) The total amount of the broadband funding gap, including the amount of funds to be provided by the project sponsor, the state, and the county in which the project is located;

(C) A copy of the agreement with the broadband provider for the project;

(D) A copy of the residential broadband expansion program application to be submitted to the development services agency pursuant to section 122.095 of the Revised Code;

(E) A written proposal requesting county funds from the county in which the project is located.

Sec. 122.0914. Before a residential broadband expansion project under sections 122.09 to 122.0929 of the Revised Code may commence, the legislative authority of the project sponsor shall review the residential broadband expansion project agreement and plan. Within ninety days of receiving the agreement and plan, the legislative authority shall approve or reject the agreement and plan. To approve the agreement and plan, the legislative authority shall adopt an ordinance or resolution authorizing the project sponsor to do the following:

(A) Enter into the project agreement with the broadband provider;

(B) Submit the residential broadband expansion program
application for the project to the development services agency;

(C) Submit the proposal requesting any county funds for
the project to the appropriate county.

Sec. 122.0915. Upon approval by the legislative authority
of a project sponsor of a residential broadband expansion
project under sections 122.0912 and 122.0914 of the Revised
Code, the project sponsor shall submit to the board of county
commissioners of the county in which the project is located a
proposal requesting county funds for the project. The request
shall be for the amount equal to the county's share of the
project's broadband funding gap as determined in section 122.096
of the Revised Code.

Sec. 122.0916. The board of county commissioners shall
approve or reject a request under sections 122.096 and 122.0915
of the Revised Code for county funds for a residential broadband
expansion project within ninety days of receiving the request.
To approve the funding request, the board shall adopt a
resolution or a memorandum of understanding authorizing the
distribution of the funds to the project sponsor.

Sec. 122.0917. Within five business days of the notice of
the request for proposals made under section 122.098 of the
Revised Code, a broadband service provider in or proximate to
the proposed project area may submit in writing a challenge to
the request for proposals. A challenge must provide sufficient
evidence to demonstrate that the request for proposals is not
appropriate, because it will not provide broadband service or
will not serve an eligible area.

Sec. 122.0918. After reviewing a challenge made under
section 122.0917 of the Revised Code, the legislative authority
of the project sponsor may, upon majority vote, do either of the following:

(A) Withdraw the request for proposals and issue a new request for proposals;

(B) Accept the current request for proposals and proceed with the selection process.

Sec. 122.0920. If a proposal is selected under section 122.098 of the Revised Code, a broadband provider whose proposal was not selected may challenge the selection.

A challenge under this section shall be made in writing to the legislative authority of the project sponsor before the end of the ninety-day approval period under section 122.0914 of the Revised Code. A copy of the challenge also shall be provided to the provider that was awarded the project.

A challenge must provide sufficient evidence to demonstrate that the selection is not appropriate because it will not provide the broadband service described in the proposal or will not serve an eligible area.

Sec. 122.0921. After reviewing a challenge made under section 122.0920 of the Revised Code, the legislative authority of the project sponsor may, upon majority vote, do any of the following:

(A) Reject the challenge;

(B) Reject the proposal selected under section 122.098 of the Revised Code and do one of the following:

(1) Issue a new request for proposals;

(2) Allow the providers that responded to the request for
proposals to amend their proposals and resubmit them.

(C) Select a different provider that submitted, under section 122.098 of the Revised Code, a competing proposal to the challenged proposal.

**Sec. 122.0923.** A broadband provider selected to provide last mile service under the residential broadband expansion program shall be the sole owner of the infrastructure installed pursuant to the program and shall be solely responsible for ongoing maintenance and upgrades to such infrastructure.

**Sec. 122.0927.** The development services agency shall include the following residential broadband expansion program information in its annual report filed under section 121.18 of the Revised Code:

(A) The number of program applications received;

(B) The number of applications that received funding under the program;

(C) The amount of broadband infrastructure constructed in eligible areas;

(D) The number of residences receiving broadband service for the first time under the program for that year.

**Sec. 122.0929.** (A) The director of development services shall adopt rules for the residential broadband expansion program established under sections 122.09 to 122.0929 of the Revised Code. The rules shall establish an application form and application procedures for the program.

(B) The rules may include the following:

(1) Requirements for a program application in addition to
the requirements described in section 122.095 of the Revised Code;

(2) Procedures for and circumstances under which partial funding of applications or funding applications on a basis other than first come, first served is permitted.

Sec. 133.13. If the special assessments are to be paid in one annual installment, the taxing authority of a subdivision may issue securities in anticipation of its levy or collection of special assessments to pay the costs of residential broadband expansion under sections 122.09 to 122.0929 of the Revised Code, lighting, sprinkling, sweeping, cleaning, providing related or similar services or the services described in section 727.011 of the Revised Code, or of removing snow, ice, and debris from, or treating the surface of, streets, alleys, and public ways and places.

Such securities shall not be general obligations of the issuing subdivision, and shall not pledge to the payment of debt charges any receipts other than the special assessments anticipated, except that a municipal corporation, without incurring debt subject to direct or indirect debt limitations, may also pledge and apply proceeds of its municipal income tax to pay those debt charges. No property tax shall be levied or pledged for the payment of debt charges on the securities. The securities shall mature no later than the last day of December of the year in which the special assessments anticipated are scheduled to be collected.

The legislation authorizing the securities shall appropriate the special assessments anticipated, and such special assessments shall be deemed to be pledged and appropriated, first to the payment of the debt charges on the
securities. After provision has been made for the payment in full of those debt charges, the balance of the special assessments may be appropriated and applied for the purposes for which they were levied.

**Sec. 303.251.** (A) If a broadband expansion project agreement is signed and approved pursuant to sections 122.0911 and 122.0912 of the Revised Code, a board of county commissioners, by resolution, may levy a special assessment upon residential property within the county for the purpose of providing the county's share of funding for a residential broadband expansion project under sections 122.09 to 122.0929 of the Revised Code. Assessments under this section shall be levied only upon the property that is within the eligible area, as defined in section 122.09 of the Revised Code and is the subject of a project under sections 122.09 to 122.0929 of the Revised Code. Before adopting the resolution, the board shall send written notice to the affected property owner stating the estimated assessment for that property. If the owner objects to the stated estimated assessment, the owner shall file a written objection with the board not later than two weeks after the notice was mailed. The board shall review the written objections and may revise the estimated assessments before adopting the resolution. If the property owner objects to the final assessment for the property levied in the resolution, the owner may appeal the final assessment under Chapter 2506. of the Revised Code.

(B) The assessment made by the board pursuant to division (A) of this section shall be at a rate that will produce a total assessment that is not more than the county's share of the project funding under section 122.096 of the Revised Code. The board shall certify the amounts to be levied upon each affected
property to the county auditor, who shall enter the amounts on the tax duplicate for collection by the county treasurer in equal semiannual installments in the same manner and at the same times as the collection of taxes on real property. Assessments shall be paid by owners of the properties upon which assessments are levied.

(C) The assessments, when collected, shall be paid by the county auditor by warrant on the county treasurer into a special fund in the county treasury created for the purpose of funding a residential broadband expansion project located in the county. The board may expend moneys from the fund only for the purposes for which the assessments were levied.

Sec. 505.881. (A) As used in this section, "project sponsor" has the same meaning as in section 122.09 of the Revised Code.

(B) If a broadband expansion project agreement is signed and approved pursuant to sections 122.0911 and 122.0912 of the Revised Code, a board of township trustees, by resolution, may levy a special assessment upon residential property within the township for the purpose of providing the project sponsor's share of funding for a residential broadband expansion project under sections 122.09 to 122.0929 of the Revised Code. Assessments under this section shall be levied only upon the property that is within the eligible area, as defined in section 122.09 of the Revised Code and is the subject of a project under sections 122.09 to 122.0929 of the Revised Code. Before adopting the resolution, the board shall send written notice to the affected property owner stating the estimated assessment for that property. If the owner objects to the stated estimated assessment, the owner shall file a written objection with the
board not later than two weeks after the notice was mailed. The board shall review the written objections and may revise the estimated assessments before adopting the resolution. If the property owner objects to the final assessment for the property levied in the resolution, the owner may appeal the final assessment under Chapter 2506. of the Revised Code.

(C) The assessment made by the board pursuant to division (B) of this section shall be at a rate that will produce a total assessment that is not more than the project sponsor's share of the project funding under section 122.096 of the Revised Code. The board shall certify the amounts to be levied upon each affected property to the county auditor, who shall enter the amounts on the tax duplicate for collection by the county treasurer in equal semiannual installments in the same manner and at the same times as the collection of taxes on real property. Assessments shall be paid by owners of the properties upon which assessments are levied.

(D) The assessments, when collected, shall be paid by the county auditor by warrant on the county treasurer into a special fund in the township treasury created for the purpose of funding a residential broadband expansion project located in the township. The board may expend moneys from the fund only for the purposes for which the assessments were levied.

Sec. 727.01. Each municipal corporation shall have special power to levy and collect special assessments. The legislative authority of a municipal corporation may assess upon the abutting, adjacent, and contiguous, or other specially benefited, lots or lands in the municipal corporation, any part of the cost connected with the improvement of any street, alley, dock, wharf, pier, public road, place, boulevard, parkway, or
park entrance or an easement of the municipal corporation available for the purpose of the improvement to be made in it by grading, draining, curbing, paving, repaving, repairing, treating the surface with substances designed to lay the dust on it or preserve it, constructing sidewalks, piers, wharves, docks, retaining walls, sewers, sewage disposal works and treatment plants, sewage pumping stations, water treatment plants, water pumping stations, reservoirs, and water storage tanks or standpipes, together with the facilities and appurtenances necessary and proper therefor, drains, storm-water retention basins, watercourses, water mains, or laying of water pipe, or the lighting, sprinkling, sweeping, or cleaning thereof, or removing snow therefrom, any part of the cost and expense of planting, maintaining, and removing shade trees thereupon; any part of the cost of a voluntary action, as defined in section 3746.01 of the Revised Code, undertaken pursuant to Chapter 3746. of the Revised Code by a special improvement district created under Chapter 1710. of the Revised Code, including the cost of acquiring property with respect to which the voluntary action is undertaken; any part of the cost and expense of constructing, maintaining, repairing, cleaning, and enclosing ditches; any part of the cost and expense of operating, maintaining, and replacing heating and cooling facilities for enclosed pedestrian canopies and malls; any part of the cost and expense of acquiring and improving parking facilities and structures for off-street parking of motor vehicles or of acquiring land and improving it by clearing, grading, draining, paving, lighting, erecting, constructing, and equipping it for parking facilities and structures for off-street parking of motor vehicles, to the extent authorized by section 717.05 of the Revised Code, but only if no special assessment made for the purpose of developing off-street parking
facilities and structures is levied against any land being used solely for off-street parking or against any land used solely for single or two-family dwellings; any part of the cost and expense of operating and maintaining the off-street parking facilities and structures; and any part of the cost connected with changing the channel of, or narrowing, widening, dredging, deepening, or improving, any stream or watercourse, and for constructing or improving any levees or boulevards on any stream or watercourse, or along or about any stream or watercourse, together with any retaining wall, riprap protection, bulkhead, culverts, approaches, flood gates, waterways, or drains incidental to any stream or watercourse, or for making any other improvement of any river or lake front, whether it is privately or publicly owned, which the legislative authority declares conducive to the public health, convenience, or welfare. If a broadband expansion project agreement is signed pursuant to sections 122.0911 and 122.0912 of the Revised Code, a municipal corporation may levy, against dwellings within the eligible area, as defined in section 122.09 of the Revised Code, that are the subject of a residential broadband expansion project under sections 122.09 to 122.0929 of the Revised Code, a special assessment for the purpose of funding the project sponsor's share of the project. In addition, a municipal corporation may levy a special assessment for public improvement or public services plans of a district formed under Chapter 1710. of the Revised Code, as provided in that chapter. Except as otherwise provided in Chapter 1710. of the Revised Code, special assessments may be levied by any of the following methods:

(A) By a percentage of the tax value of the property assessed;

(B) In proportion to the benefits that may result from the
improvement;

(C) By the front foot of the property bounding and abutting upon the improvement.

Section 2. That existing sections 133.13 and 727.01 are hereby repealed.

Section 3. All items in this section are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2020 and those in the second column are for fiscal year 2021. The appropriations made in this act are in addition to any other appropriations made for the FY 2020-FY 2021 biennium.

DEV DEVELOPMENT SERVICES AGENCY

Dedicated Purpose Fund Group

5GT0  195550  Broadband Development Grants  $2,000,000  $0

TOTAL DPF Dedicated Purpose Fund Group  $2,000,000  $0

TOTAL ALL BUDGET FUND GROUPS  $2,000,000  $0

BROADBAND DEVELOPMENT GRANTS

The foregoing appropriation item 195550, Broadband Development Grants, shall be used to provide state matching funds for the residential broadband expansion program established in section 122.091 of the Revised Code.

On July 1, 2019, or as soon as possible thereafter, the Director of Budget and Management, in consultation with the Director of Development Services, shall identify within the
H. B. No. 13
As Introduced

Development Services Agency's budget $2,000,000 in unexpended, 683
unencumbered cash. When such funds have been identified, the 684
Director of Budget and Management shall transfer $2,000,000 cash 685
from the identified sources to the Ohio Broadband Development 686
Grant Fund (Fund 5GT0), which is hereby created.

Section 4. Within the limits set forth in this act, the 688
Director of Budget and Management shall establish accounts 689
indicating the source and amount of funds for each appropriation 690
made in this act, and shall determine the form and manner in 691
which appropriation accounts shall be maintained. Expenditures 692
from appropriations contained in this act shall be accounted for 693
as though made in the main operating appropriations act of the 694
133rd General Assembly.

The appropriations made in this act are subject to all 696
provisions of the main operating appropriations act of the 133rd 697
General Assembly that are generally applicable to such 698
appropriations.