

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 784**

**Representative Becker**

**Cosponsors: Representatives Roegner, Riedel, Lang, Vitale, Keller, Brinkman,  
Dean**

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**A BILL**

To amend sections 121.083, 123.281, 164.07, 1  
176.011, 307.022, 307.671, 307.673, 307.674, 2  
307.696, 351.06, 353.03, 1311.25, 1506.44, 3  
1509.071, 1710.02, 5540.03, 5747.503, and 4  
6117.012, to repeal sections 176.05, 4115.03, 5  
4115.031, 4115.033, 4115.034, 4115.04, 4115.05, 6  
4115.06, 4115.07, 4115.071, 4115.08, 4115.09, 7  
4115.10, 4115.101, 4115.11, 4115.12, 4115.13, 8  
4115.131, 4115.132, 4115.133, 4115.14, 4115.15, 9  
4115.16, 4115.21, 4115.99, and 6121.061 of the 10  
Revised Code, and to amend section 387.10 of Am. 11  
Sub. H.B. 49 of the 132nd General Assembly, as 12  
subsequently amended, to repeal the Prevailing 13  
Wage Law, to distribute an additional \$25 14  
million annually among townships in equal 15  
amounts through the Local Government Fund, and 16  
to make an appropriation. 17

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

**Section 1.** That sections 121.083, 123.281, 164.07, 18

176.011, 307.022, 307.671, 307.673, 307.674, 307.696, 351.06, 19  
353.03, 1311.25, 1506.44, 1509.071, 1710.02, 5540.03, 5747.503, 20  
and 6117.012 of the Revised Code be amended to read as follows: 21

**Sec. 121.083.** The superintendent of industrial compliance 22  
in the department of commerce shall do all of the following: 23

(A) Administer and enforce the general laws of this state 24  
pertaining to buildings, pressure piping, boilers, bedding, 25  
upholstered furniture, and stuffed toys, steam engineering, 26  
elevators, plumbing, licensed occupations regulated by the 27  
department, and travel agents, as they apply to plans review, 28  
inspection, code enforcement, testing, licensing, registration, 29  
and certification. 30

(B) Exercise the powers and perform the duties delegated 31  
to the superintendent by the director of commerce under Chapters 32  
4109.~~7~~ and 4111.~~7~~ and ~~4115~~. of the Revised Code. 33

(C) Collect and collate statistics as are necessary. 34

(D) Examine and license persons who desire to act as steam 35  
engineers, to operate steam boilers, and to act as inspectors of 36  
steam boilers, provide for the scope, conduct, and time of such 37  
examinations, provide for, regulate, and enforce the renewal and 38  
revocation of such licenses, inspect and examine steam boilers 39  
and make, publish, and enforce rules and orders for the 40  
construction, installation, inspection, and operation of steam 41  
boilers, and do, require, and enforce all things necessary to 42  
make such examination, inspection, and requirement efficient. 43

(E) Rent and furnish offices as needed in cities in this 44  
state for the conduct of its affairs. 45

(F) Oversee a chief of construction and compliance, a 46  
chief of operations and maintenance, a chief of licensing and 47

certification, a chief of worker protection, and other designees 48  
appointed by the director to perform the duties described in 49  
this section. 50

(G) Enforce the rules the board of building standards 51  
adopts pursuant to division (A)(2) of section 4104.43 of the 52  
Revised Code under the circumstances described in division (D) 53  
of that section. 54

(H) Accept submissions, establish a fee for submissions, 55  
and review submissions of certified welding and brazing 56  
procedure specifications, procedure qualification records, and 57  
performance qualification records for building services piping 58  
as required by section 4104.44 of the Revised Code. 59

**Sec. 123.281.** (A) The Ohio facilities construction 60  
commission shall provide for the construction of a cultural 61  
project in conformity with Chapter 153. of the Revised Code, 62  
except for construction services provided on behalf of the state 63  
by a governmental agency or a cultural organization in 64  
accordance with divisions (B) and (C) of this section. 65

(B) In order for a governmental agency or a cultural 66  
organization to provide construction services on behalf of the 67  
state for a cultural project, other than a state historical 68  
facility, for which the general assembly has made an 69  
appropriation or specifically authorized the spending of money 70  
or the making of rental payments relating to the financing of 71  
the construction, the governmental agency or cultural 72  
organization shall submit to the Ohio facilities construction 73  
commission a cooperative use agreement that includes, but is not 74  
limited to, provisions that: 75

(1) Specify how the proposed project will support culture; 76

(2) Specify that the governmental agency or cultural 77  
organization has local contributions amounting to not less than 78  
fifty per cent of the total state funding for the cultural 79  
project; 80

(3) Specify that the funds shall be used only for 81  
construction; 82

(4) Identify the facility to be constructed, renovated, 83  
remodeled, or improved; 84

(5) Specify that the project scope meets the intent and 85  
purpose of the project appropriation and that the project can be 86  
completed and ready to support culture without exceeding 87  
appropriated funds; 88

(6) Specify that the governmental agency or cultural 89  
organization shall hold the Ohio facilities construction 90  
commission harmless from all liability for the operation and 91  
maintenance costs of the facility; 92

(7) Specify that the agreement or any actions taken under 93  
it are not subject to Chapter 123. or 153. of the Revised Code, 94  
except for sections 123.20, 123.201, 123.21, 123.28, 123.281, 95  
and 153.011 of the Revised Code, ~~and are subject to Chapter~~ 96  
~~4115. of the Revised Code;~~ and 97

(8) Provide that amendments to the agreement shall require 98  
the approval of the Ohio facilities construction commission. 99

(C) In order for a cultural organization to provide 100  
construction services on behalf of the state for a state 101  
historical facility for which the general assembly has made an 102  
appropriation or specifically authorized the spending of money 103  
or the making of rental payments relating to the financing of 104  
the construction, the cultural organization shall submit to the 105

Ohio facilities construction commission a cooperative use 106  
agreement that includes, but is not limited to, provisions that: 107

(1) Specify how the proposed project will support culture; 108

(2) Specify that the funds shall be used only for 109  
construction; 110

(3) Specify that not more than three per cent of the funds 111  
may be used by the cultural organization to administer the 112  
project; 113

(4) Identify the facility to be constructed, renovated, 114  
remodeled, or improved; 115

(5) Specify that the project scope meets the intent and 116  
purpose of the project appropriation and that the project can be 117  
completed and ready to support culture without exceeding 118  
appropriated funds; 119

(6) Specify that the cultural organization shall hold the 120  
Ohio facilities construction commission harmless from all 121  
liability for the operation and maintenance costs of the 122  
facility; 123

(7) Specify that the agreement or any actions taken under 124  
it are not subject to Chapter 123.~~7~~ or 153.~~7~~ ~~or 4115.~~ of the 125  
Revised Code, except for sections 123.20, 123.201, 123.21, 126  
123.28, and 123.281 of the Revised Code; and 127

(8) Provide that amendments to the agreement shall require 128  
the approval of the Ohio facilities construction commission. 129

(D) For an Ohio sports facility that is financed in part 130  
by obligations issued under Chapter 154. of the Revised Code, 131  
construction services shall be provided on behalf of the state 132  
by or at the direction of the governmental agency or nonprofit 133

corporation that will own or be responsible for the management 134  
of the facility. Any construction services to be provided by a 135  
governmental agency or nonprofit corporation shall be specified 136  
in a cooperative use agreement between the Ohio facilities 137  
construction commission and the governmental agency or nonprofit 138  
corporation. The agreement and any actions taken under it are 139  
not subject to Chapter 123. or 153. of the Revised Code, except 140  
for sections 123.20, 123.201, 123.21, 123.28, 123.281, and 141  
153.011 of the Revised Code, ~~and are subject to Chapter 4115. of~~ 142  
~~the Revised Code.~~ 143

(E) State funds shall not be used to pay or reimburse more 144  
than fifteen per cent of the initial estimated construction cost 145  
of an Ohio sports facility, excluding any site acquisition cost, 146  
and no state funds, including any state bond proceeds, shall be 147  
spent on any Ohio sports facility under this chapter unless, 148  
with respect to that facility, all of the following apply: 149

(1) The Ohio facilities construction commission has 150  
received a financial and development plan satisfactory to it, 151  
and provision has been made, by agreement or otherwise, 152  
satisfactory to the commission, for a contribution amounting to 153  
not less than eighty-five per cent of the total estimated 154  
construction cost of the facility, excluding any site 155  
acquisition cost, from sources other than the state. 156

(2) The general assembly has specifically authorized the 157  
spending of money on, or made an appropriation for, the 158  
construction of the facility, or for rental payments relating to 159  
state financing of all or a portion of the costs of constructing 160  
the facility. Authorization to spend money, or an appropriation, 161  
for planning or determining the feasibility of or need for the 162  
facility does not constitute authorization to spend money on, or 163

an appropriation for, costs of constructing the facility. 164

(3) If state bond proceeds are being used for the Ohio 165  
sports facility, the state or a governmental agency owns or has 166  
sufficient property interests in the facility or in the site of 167  
the facility or in the portion or portions of the facility 168  
financed from proceeds of state bonds, which may include, but is 169  
not limited to, the right to use or to require the use of the 170  
facility for the presentation of sport and athletic events to 171  
the public at the facility. 172

(F) In addition to the requirements of division (E) of 173  
this section, no state funds, including any state bond proceeds, 174  
shall be spent on any Ohio sports facility that is a motorsports 175  
complex, unless, with respect to that facility, both of the 176  
following apply: 177

(1) Motorsports events shall be presented at the facility 178  
pursuant to a lease entered into with the owner of the facility. 179  
The term of the lease shall be for a period of not less than the 180  
greater of the useful life of the portion of the facility 181  
financed from proceeds of state bonds as determined using the 182  
guidelines for maximum maturities as provided under divisions 183  
(B) and (C) of section 133.20 of the Revised Code, or the period 184  
of time remaining to the date of payment or provision for 185  
payment of outstanding state bonds allocable to costs of the 186  
facility, all as determined by the director of budget and 187  
management and certified by the executive director of the Ohio 188  
facilities construction commission and to the treasurer of 189  
state. 190

(2) Any motorsports organization that commits to using the 191  
facility for an established period of time shall give the 192  
political subdivision in which the facility is located not less 193

than six months' advance notice if the organization intends to 194  
cease utilizing the facility prior to the expiration of that 195  
established period. Such a motorsports organization shall be 196  
liable to the state for any state funds used on the construction 197  
costs of the facility. 198

(G) In addition to the requirements of division (E) of 199  
this section, no state bond proceeds shall be spent on any Ohio 200  
sports facility that is a tennis facility, unless the owner or 201  
manager of the facility provides contractual commitments from a 202  
national or international professional tennis organization in a 203  
form acceptable to the Ohio facilities construction commission 204  
that assures that one or more sanctioned professional tennis 205  
events will be presented at the facility during each year that 206  
the bonds remain outstanding. 207

**Sec. 164.07.** ~~(A)~~ In awarding contracts for capital 208  
improvement projects to be financed in whole or in part under 209  
this chapter, a local subdivision shall comply with the 210  
percentage requirements of section 125.081 of the Revised Code. 211

~~(B) A capital improvement that is financed in whole or in 212  
part under this chapter is a public improvement, and a 213  
subdivision undertaking a capital improvement is a public 214  
authority, for purposes of section 4115.03 of the Revised Code. 215  
All contractors and subcontractors working on a capital 216  
improvement financed in whole or in part under this chapter 217  
shall comply with sections 4115.03 to 4115.16 of the Revised 218  
Code. 219~~

**Sec. 176.011.** This section does not apply to any county 220  
having a population exceeding one million persons, according to 221  
the United States bureau of the census, ~~on the effective date of 222~~  
~~this section~~ May 15, 1992, or to any township or municipal 223



corporation located within such a county. 224

(A) A board of county commissioners, a board of township 225  
trustees, the chief executive officer of a municipal corporation 226  
with the consent of the legislative authority of the municipal 227  
corporation, or any combination of these, may do one or both of 228  
the following: 229

(1) Create and participate in a nonprofit corporation 230  
incorporated under Chapter 1702. of the Revised Code for the 231  
purpose of receiving funds from any person to be expended, 232  
granted, loaned, or invested for housing purposes, to ensure the 233  
efficient use of these funds, and for the coordination of the 234  
use of the funds with other local governments. A nonprofit 235  
corporation created under division (A) (1) of this section shall 236  
not have among its purposes the acquisition, construction, or 237  
rehabilitation of housing. All funds received by the nonprofit 238  
corporation shall be expended for housing purposes under Section 239  
16 of Article VIII, Ohio Constitution, and section 176.04 of the 240  
Revised Code. 241

(2) Create and participate in a nonprofit corporation 242  
incorporated under Chapter 1702. of the Revised Code for the 243  
purpose of acquiring, constructing, or rehabilitating housing 244  
under Section 16 of Article VIII, Ohio Constitution, and section 245  
176.04 of the Revised Code, or participate in an existing 246  
nonprofit corporation whose purpose includes the acquisition, 247  
construction, or rehabilitation of housing. A nonprofit 248  
corporation created under division (A) (2) of this section shall 249  
not have among its purposes any of the purposes for which a 250  
nonprofit corporation created under division (A) (1) of this 251  
section may be created. The governing board of a nonprofit 252  
corporation created under division (A) (2) of this section or in 253

which a county, township, or municipal corporation participates 254  
under division (A) (2) of this section shall consist of not more 255  
than one-third elected officials or appointees thereof of the 256  
county, township, or municipal corporation, or combination 257  
thereof, that through the governing boards or chief executive 258  
officers create or participate in such corporation. 259

~~Housing acquired, constructed, or rehabilitated by a 260~~  
~~nonprofit corporation created under division (A) (2) of this 261~~  
~~section is a project for purposes of section 176.05 of the 262~~  
~~Revised Code and shall be considered a project undertaken by a 263~~  
~~county, township, or municipal corporation for purposes of 264~~  
~~section 176.05 of the Revised Code. 265~~

Not more than fifteen per cent of the funds received by a 266  
nonprofit corporation created under division (A) (1) or (2) of 267  
this section from any county, township, or municipal corporation 268  
shall be used for administration and salaries of the nonprofit 269  
organization. Funds distributed to the nonprofit corporation 270  
from any board of county commissioners, board of township 271  
trustees, or municipal corporation shall be considered an 272  
expenditure for housing purposes under Section 16 of Article 273  
VIII, Ohio Constitution. A nonprofit corporation created under 274  
division (A) (1) or (2) of this section is a public body for 275  
purposes of section 121.22 of the Revised Code, and is subject 276  
to that section. 277

(B) A county, township, or municipal corporation may 278  
distribute funds to a nonprofit corporation created under 279  
division (A) (1) or (2) of this section that its board or chief 280  
executive officer created or in which the board or chief 281  
executive officer participates, and no such distribution 282  
constitutes a conflict of interest. 283

(C) Service as a member, trustee, officer, employee, or 284  
agent of a nonprofit corporation created under division (A) of 285  
this section does not constitute a conflict of interest with the 286  
following: 287

(1) Employment by or membership on a board of county 288  
commissioners or a board of township trustees from which the 289  
nonprofit corporation receives funds; 290

(2) Service as the chief executive officer or as a member 291  
of the legislative authority of, or employment by, a municipal 292  
corporation from which the nonprofit corporation receives funds; 293

(3) Service on a housing advisory board serving any of the 294  
political subdivisions named in division (C) of this section. 295

(D) A housing advisory board established or designated by 296  
any municipal corporation, county, or township, alone or 297  
jointly, shall advise the nonprofit corporation created under 298  
division (A) (1) or (2) or both of this section in accordance 299  
with sections 176.01 and 176.04 of the Revised Code. 300

**Sec. 307.022.** (A) The board of county commissioners of any 301  
county may do both of the following without following the 302  
competitive bidding requirements of section 307.86 of the 303  
Revised Code: 304

(1) Enter into a lease, including a lease with an option 305  
to purchase, of correctional facilities for a term not in excess 306  
of forty years. Before entering into the lease, the board shall 307  
publish, once a week for three consecutive weeks in a newspaper 308  
of general circulation in the county or as provided in section 309  
7.16 of the Revised Code, a notice that the board is accepting 310  
proposals for a lease pursuant to this division. The notice 311  
shall state the date before which the proposals are required to 312

be submitted in order to be considered by the board. 313

(2) Subject to compliance with this section, grant leases, 314  
easements, and licenses with respect to, or sell, real property 315  
owned by the county if the real property is to be leased back by 316  
the county for use as correctional facilities. 317

The lease under division (A)(1) of this section shall 318  
require the county to contract, in accordance with Chapter 153.7— 319  
and sections 307.86 to 307.92, ~~and Chapter 4115.~~ of the Revised 320  
Code, for the construction, improvement, furnishing, and 321  
equipping of correctional facilities to be leased pursuant to 322  
this section. Prior to the board's execution of the lease, it 323  
may require the lessor under the lease to cause sufficient money 324  
to be made available to the county to enable the county to 325  
comply with the certification requirements of division (D) of 326  
section 5705.41 of the Revised Code. 327

A lease entered into pursuant to division (A)(1) of this 328  
section by a board may provide for the county to maintain and 329  
repair the correctional facility during the term of the 330  
leasehold, may provide for the county to make rental payments 331  
prior to or after occupation of the correctional facilities by 332  
the county, and may provide for the board to obtain and maintain 333  
any insurance that the lessor may require, including, but not 334  
limited to, public liability, casualty, builder's risk, and 335  
business interruption insurance. The obligations incurred under 336  
a lease entered into pursuant to division (A)(1) of this section 337  
shall not be considered to be within the debt limitations of 338  
section 133.07 of the Revised Code. 339

(B) The correctional facilities leased under division (A) 340  
(1) of this section may include any or all of the following: 341

(1) Facilities in which one or more other governmental 342  
entities are participating or in which other facilities of the 343  
county are included; 344

(2) Facilities acquired, constructed, or renovated by or 345  
on behalf of the department of rehabilitation and correction or 346  
the department of administrative services, or financed by the 347  
treasurer of state, and leased to the county pursuant to section 348  
307.021 of the Revised Code; 349

(3) Correctional facilities that are under construction or 350  
have been completed and for which no permanent financing has 351  
been arranged. 352

(C) As used in this section: 353

(1) "Correctional facilities" includes, but is not limited 354  
to, jails, detention facilities, workhouses, community-based 355  
correctional facilities, and family court centers. 356

(2) "Construction" ~~has the same meaning as in division (B)~~ 357  
~~of section 4115.03 of the Revised Code~~ means any construction, 358  
reconstruction, improvement, enlargement, alteration, repair, 359  
painting, or decorating of any public improvement performed by 360  
other than full-time employees who have completed their 361  
probationary periods in the classified service of a public 362  
authority. 363

As used in division (C)(2) of this section: 364

(a) "Public improvement" means all buildings, roads, 365  
streets, alleys, sewers, ditches, and other structures or works 366  
constructed by a public authority or by any person who, pursuant 367  
to a contract with a public authority, constructs any structure 368  
or work for a public authority. When a public authority rents or 369  
leases a newly constructed structure within six months after 370

completion of its construction, any work performed on that 371  
structure to suit it for occupancy is a "public improvement." 372

(b) "Public authority" means any officer, board, or 373  
commission of the state, or any political subdivision of the 374  
state, or any institution supported in whole or in part by 375  
public funds, authorized to enter into a contract for the 376  
construction of a public improvement or to construct a public 377  
improvement by the direct employment of labor. 378

**Sec. 307.671.** (A) As used in this section: 379

(1) "Bonds" means, as the context requires: general 380  
obligation bonds of the county, or notes in anticipation 381  
thereof, described in division (B) (1) (b) of this section; 382  
revenue bonds of the port authority described in division (B) (2) 383  
(a) of this section; and urban renewal bonds, or notes in 384  
anticipation thereof, of the host municipal corporation 385  
described in division (B) (3) (a) of this section. 386

(2) "Corporation" means a nonprofit corporation that is 387  
organized under the laws of this state and that includes within 388  
the purposes for which it is incorporated the authorization to 389  
lease and operate facilities such as a port authority 390  
educational and cultural facility. 391

(3) "Debt service charges" means, for any period or 392  
payable at any time, the principal of and interest and any 393  
premium due on bonds for that period or payable at that time 394  
whether due at maturity or upon mandatory redemption, together 395  
with any required deposits to reserves for the payment of 396  
principal of and interest on such bonds, and includes any 397  
payments required by the port authority to satisfy any of its 398  
obligations arising from any guaranty agreements, reimbursement 399

agreements, or other credit enhancement agreements described in 400  
division (C) of this section. 401

(4) "Host municipal corporation" means the municipal 402  
corporation within the boundaries of which the port authority 403  
educational and cultural facility is located. 404

(5) "Port authority" means a port authority created 405  
pursuant to the authority of section 4582.02 of the Revised Code 406  
by a county and a host municipal corporation. 407

(6) "Port authority educational and cultural facility" 408  
means a facility located within an urban renewal area that may 409  
consist of a museum, archives, library, hall of fame, center for 410  
contemporary music, or other facilities necessary to provide 411  
programs of an educational and cultural nature, together with 412  
all parking facilities, walkways, and other auxiliary 413  
facilities, real and personal property, property rights, 414  
easements, and interests that may be appropriate for, or used in 415  
connection with, the operation of the facility. 416

(7) "Urban renewal area" means an area of a host municipal 417  
corporation that the legislative authority of the host municipal 418  
corporation has, at any time, designated as appropriate for an 419  
urban renewal project pursuant to Chapter 725. of the Revised 420  
Code. 421

(B) The board of county commissioners of a county, a port 422  
authority, and a host municipal corporation may enter into a 423  
cooperative agreement with a corporation, under which: 424

(1) The board of county commissioners agrees to do all of 425  
the following: 426

(a) Levy a tax under division (D) of section 5739.09 of 427  
the Revised Code exclusively for the purposes described in 428

divisions (B) (1) (c) and (d) of this section; 429

(b) Issue general obligation bonds of the county, or notes 430  
in anticipation thereof, pursuant to Chapter 133. of the Revised 431  
Code, for the purpose of acquiring, constructing, and equipping 432  
the port authority educational and cultural facility and 433  
contribute the proceeds from the issuance to the port authority 434  
for such purpose. The cooperative agreement may provide that 435  
such proceeds be deposited with and administered by the trustee 436  
pursuant to the trust agreement provided for in division (C) of 437  
this section. 438

(c) Following the issuance, sale, and delivery of the port 439  
authority revenue bonds provided for in division (B) (2) (a) of 440  
this section, and prior to the date certain stated in the 441  
cooperative agreement which shall be the date estimated for the 442  
completion of construction of the port authority educational and 443  
cultural facility, pledge and contribute to the port authority 444  
revenue from the tax levied pursuant to division (B) (1) (a) of 445  
this section, together with any investment earnings on that 446  
revenue, to pay a portion of the costs of acquiring, 447  
constructing, and equipping the port authority educational and 448  
cultural facility; 449

(d) Following such date certain, pledge and contribute to 450  
the corporation all or such portion as provided for in the 451  
cooperative agreement of the revenue from the tax, together with 452  
any investment earnings on that revenue, to pay a portion of the 453  
costs of the corporation of leasing the port authority 454  
educational and cultural facility from the port authority. 455

(2) The port authority agrees to do all of the following: 456

(a) Issue revenue bonds of the port authority pursuant to 457



Chapter 4582. of the Revised Code for the purpose of acquiring, 458  
constructing, and equipping the port authority educational and 459  
cultural facility; 460

(b) Construct the port authority educational and cultural 461  
facility; 462

(c) Lease the port authority educational and cultural 463  
facility to the corporation; 464

(d) To the extent provided for in the cooperative 465  
agreement or the lease to the corporation, authorize the 466  
corporation to administer on behalf of the port authority the 467  
contracts for acquiring, constructing, or equipping a port 468  
authority educational and cultural facility; 469

(e) Use the revenue derived from the lease of the port 470  
authority educational and cultural facility to the corporation 471  
solely to pay debt service charges on the revenue bonds of the 472  
port authority described in division (B) (2) (a) of this section. 473

(3) The host municipal corporation agrees to do both of 474  
the following: 475

(a) Issue urban renewal bonds of the host municipal 476  
corporation, or notes in anticipation thereof, pursuant to 477  
Chapter 725. of the Revised Code for the purpose of acquiring 478  
and constructing the port authority educational and cultural 479  
facility and contribute the proceeds from the issuance to the 480  
port authority for such purpose. The cooperative agreement may 481  
provide that such proceeds be deposited with and administered by 482  
the trustee pursuant to the trust agreement provided for in 483  
division (C) of this section. 484

(b) To the extent provided for in the cooperative 485  
agreement, contribute to the county, for use by the county to 486

pay debt service charges on the bonds of the county, or notes in 487  
anticipation thereof, described in division (B) (1) (b) of this 488  
section, any excess urban renewal service payments pledged by 489  
the host municipal corporation to the urban renewal bonds 490  
described in division (B) (3) (a) of this section and not required 491  
on an annual basis to pay debt service charges on the urban 492  
renewal bonds. 493

(4) The corporation agrees to do all of the following: 494

(a) Lease the port authority educational and cultural 495  
facility from the port authority; 496

(b) Operate and maintain the port authority educational 497  
and cultural facility pursuant to the lease; 498

(c) To the extent provided for in the cooperative 499  
agreement or the lease from the port authority, administer on 500  
behalf of the port authority the contracts for acquiring, 501  
constructing, or equipping a port authority educational and 502  
cultural facility. 503

(C) The pledges and contributions described in divisions 504  
(B) (1) (c) and (d) of this section and provided for in the 505  
cooperative agreement shall be for the period stated in the 506  
cooperative agreement, but shall not be in excess of the period 507  
necessary to provide for the final retirement of the port 508  
authority revenue bonds provided for in division (B) (2) (a) of 509  
this section and any bonds issued by the port authority to 510  
refund such bonds, and for the satisfaction by the port 511  
authority of any of its obligations arising from any guaranty 512  
agreements, reimbursement agreements, or other credit 513  
enhancement agreements relating to such bonds or to the revenues 514  
pledged to such bonds. The cooperative agreement shall provide 515

for the termination of the cooperative agreement including the 516  
pledges and contributions described in divisions (B) (1) (c) and 517  
(d) of this section if the port authority revenue bonds provided 518  
for in division (B) (2) (a) of this section have not been issued, 519  
sold, and delivered within two years of the effective date of 520  
the cooperative agreement. 521

The cooperative agreement shall provide that any revenue 522  
bonds of the port authority shall be secured by a trust 523  
agreement between the port authority and a corporate trustee 524  
that is a trust company or bank having the powers of a trust 525  
company within or outside the state. The county may be a party 526  
to such trust agreement for the purpose of securing the pledge 527  
by the county of its contribution to the corporation pursuant to 528  
division (B) (1) (d) of this section. A tax levied pursuant to 529  
division (B) (1) (a) of this section is not subject to diminution 530  
by initiative or referendum or diminution by statute, unless 531  
provision is made therein for an adequate substitute therefor 532  
reasonably satisfactory to the trustee under the trust agreement 533  
that secures the revenue bonds of the port authority. 534

(D) A pledge of money by a county under this section shall 535  
not be net indebtedness of the county for purposes of section 536  
133.07 of the Revised Code. 537

(E) If the terms of the cooperative agreement so provide, 538  
any contract for the acquisition, construction, or equipping of 539  
a port authority educational and cultural facility shall be made 540  
in such manner as is determined by the board of directors of the 541  
port authority, and unless the cooperative agreement provides 542  
otherwise, such a contract is not subject to division (A) of 543  
section 4582.12 of the Revised Code. The port authority may take 544  
the assignment of and assume any contracts for the acquisition, 545

construction, and equipping of a port authority educational and 546  
cultural facility that previously have been authorized by either 547  
or both the host municipal corporation or the corporation. Such 548  
contracts likewise are not subject to division (A) of section 549  
4582.12 of the Revised Code. 550

~~Any contract for the acquisition, construction, or 551  
equipping of a port authority educational and cultural facility 552  
entered into, assigned, or assumed pursuant to this division 553  
shall provide that all laborers and mechanics employed for the 554  
acquisition, construction, or equipping of the port authority 555  
educational and cultural facility shall be paid at the 556  
prevailing rates of wages of laborers and mechanics for the 557  
class of work called for by the port authority educational and 558  
cultural facility, which wages shall be determined in accordance 559  
with the requirements of Chapter 4115. of the Revised Code for 560  
the determination of prevailing wage rates. 561~~

**Sec. 307.673.** This section applies only in a county in 562  
which a tax is levied under section 307.697, 4301.421, 5743.024, 563  
or 5743.323 of the Revised Code on July 19, 1995. 564

(A) As used in this section: 565

(1) "County taxes" means taxes levied by a board of county 566  
commissioners under division (D) of section 307.697, division 567  
(B) of section 4301.421, division (C) of section 5743.024, and 568  
section 5743.323 of the Revised Code. 569

(2) "Corporation" means a nonprofit corporation organized 570  
under the laws of this state and that includes among the 571  
purposes for which it is incorporated the authority to acquire, 572  
construct, renovate, repair, equip, lease, manage, or operate a 573  
sports facility. 574

(3) "Cooperative agreement" means an agreement entered 575  
into pursuant to this section. 576

(4) "Cost of a sports facility" means the cost of 577  
acquiring, constructing, renovating, repairing, equipping, or 578  
improving one or more sports facilities, including 579  
reconstructing, rehabilitating, remodeling, and enlarging; the 580  
cost of equipping and furnishing such a facility; and all 581  
financing costs pertaining thereto, including the cost of 582  
engineering, architectural, and other professional services, 583  
designs, plans, specifications and surveys, and estimates of 584  
costs; the costs of refinancing obligations issued by, or 585  
reimbursement of money advanced by, the parties to the 586  
cooperative agreement or other persons, the proceeds of which 587  
obligations were used to pay the costs of the sports facility; 588  
the cost of tests and inspections; the cost of any indemnity or 589  
surety bonds and premiums on insurance, all related direct and 590  
administrative costs pertaining thereto, fees and expenses of 591  
trustees, depositories, and paying agents for the obligations, 592  
capitalized interest on the obligations, amounts necessary to 593  
establish reserves as required by the obligation proceedings, 594  
the reimbursement of money advanced or applied by the parties to 595  
the cooperative agreement or other persons for the payment of 596  
any item of costs of the sports facility, and all other expenses 597  
necessary or incident to planning or determining the feasibility 598  
or practicability with respect to the sports facility; and any 599  
other such expenses as may be necessary or incident to the 600  
acquisition, construction, reconstruction, rehabilitation, 601  
remodeling, renovation, repair, enlargement, improvement, 602  
equipping, and furnishing of the sports facility, the financing 603  
of the sports facility, placing the sports facility in use and 604  
operation, including any one, part of, or combination of such 605

classes of costs and expenses. 606

(5) "Financing costs" has the same meaning as in section 607  
133.01 of the Revised Code. 608

(6) "Obligations" means obligations issued or incurred to 609  
pay the cost of a sports facility, including bonds, notes, 610  
certificates of indebtedness, commercial paper, and other 611  
instruments in writing, anticipatory securities as defined in 612  
section 133.01 of the Revised Code, issued or incurred by an 613  
issuer pursuant to Chapter 133. or 4582. of the Revised Code or 614  
this section, or otherwise, to evidence the issuer's obligation 615  
to repay borrowed money, or to pay interest, by, or to pay at 616  
any future time other money obligations of, the issuer of the 617  
obligations, including obligations of an issuer or lessee to 618  
make payments under an installment sale, lease, lease-purchase, 619  
or similar agreement. 620

(7) "Owner" means any person that owns or operates a 621  
professional athletic or sports team, that is party to a 622  
cooperative agreement, or that has a lease or other agreement 623  
with a party to a cooperative agreement, and that commits to use 624  
the sports facility that is the subject of the cooperative 625  
agreement for all of the team's home games for the period 626  
specified in that agreement. 627

(8) "Payments," when used with reference to obligations, 628  
means payments of the principal, including any mandatory sinking 629  
fund deposits and mandatory redemption payments, interest and 630  
any redemption premium, and lease rentals, lease-purchase 631  
payments and other amounts payable under obligations in the form 632  
of installment sale, lease, lease-purchase, or similar 633  
agreements. 634

(9) "Person" has the same meaning as defined in section 635  
133.01 of the Revised Code. 636

(10) "Port authority" means a port authority created under 637  
Chapter 4582. of the Revised Code. 638

(11) "Sports facility" means a facility, including a 639  
stadium, that is intended to house or provide a site for one or 640  
more major league professional athletic or sports teams or 641  
activities, together with all spectator facilities, parking 642  
facilities, walkways, and auxiliary facilities, real and 643  
personal property, property rights, easements, leasehold 644  
estates, and interests that may be appropriate for, or used in 645  
connection with, the operation of the sports facility. 646

(B) The board of county commissioners of a county, the 647  
legislative authority of a municipal corporation, a port 648  
authority, a corporation, and an owner, or any combination 649  
thereof, may enter into one or more cooperative agreements under 650  
which the parties enter into one or more of the agreements 651  
described in divisions (B) (1) to (5) of this section. 652

(1) The board of county commissioners agrees to do one or 653  
more of the following: 654

(a) Levy a tax under division (D) of section 307.697, 655  
division (B) of section 4301.421, division (C) of section 656  
5743.024, and section 5743.323 of the Revised Code and make 657  
available all or a portion of the revenue from those taxes for 658  
the payment of the cost of the sports facility or to make 659  
payments on obligations; 660

(b) Issue or incur obligations of the county pursuant to 661  
Chapter 133. of the Revised Code or this section; 662

(c) Make available all or a portion of the revenue from 663

those taxes or of the proceeds from the issuance of those 664  
obligations to the municipal corporation, port authority, 665  
corporation, or otherwise for the payment of the cost of a 666  
sports facility or the payment of obligations; 667

(d) Acquire, construct, renovate, repair, equip, lease to 668  
or from another person, and operate, directly or by a lease or 669  
management contract with another person, one or more sports 670  
facilities; 671

(e) To the extent provided in the cooperative agreement or 672  
a lease with respect to a sports facility, authorize the 673  
municipal corporation, port authority, corporation, or owner to 674  
administer contracts for designing, planning, acquiring, 675  
constructing, renovating, repairing, or equipping a sports 676  
facility. 677

(2) The port authority agrees to do one or more of the 678  
following: 679

(a) Issue or incur obligations of the port authority 680  
pursuant to Chapter 133. or 4582. of the Revised Code or this 681  
section; 682

(b) Make available all or a portion of the proceeds from 683  
the issuance of those obligations to the municipal corporation, 684  
county, or corporation for the payment of the cost of a sports 685  
facility or the payment of obligations; 686

(c) Acquire, construct, renovate, repair, equip, lease to 687  
or from another person, and operate, directly or by a lease or 688  
management contract with another person, one or more sports 689  
facilities; 690

(d) To the extent provided in the cooperative agreement or 691  
a lease with respect to a sports facility, authorize the 692



municipal corporation, county, corporation, or owner to 693  
administer contracts for designing, planning, acquiring, 694  
constructing, renovating, repairing, or equipping a sports 695  
facility. 696

(3) The legislative authority of the municipal corporation 697  
agrees to do one or more of the following: 698

(a) Make available the revenue from taxes levied by the 699  
legislative authority for the payment of the cost of a sports 700  
facility or to make payments on obligations; 701

(b) Issue or incur obligations of the municipal 702  
corporation pursuant to Chapter 133. of the Revised Code or 703  
otherwise; 704

(c) Make available all or a portion of the proceeds from 705  
the issuance of those obligations to the county, port authority, 706  
corporation, or otherwise for the payment of the cost of a 707  
sports facility or the payment of obligations; 708

(d) Acquire, construct, renovate, repair, equip, lease to 709  
or from another person, and operate, directly or by a lease or 710  
management contract with another person, one or more sports 711  
facilities; 712

(e) To the extent provided in the cooperative agreement or 713  
a lease with respect to a sports facility, authorize the county, 714  
port authority, corporation, or owner to administer contracts 715  
for designing, planning, acquiring, constructing, renovating, 716  
repairing, or equipping a sports facility. 717

(4) The corporation agrees to do one or more of the 718  
following: 719

(a) Issue or incur obligations; 720

(b) Make available all or a portion of the proceeds from 721  
the issuance of those obligations to the county, port authority, 722  
municipal corporation, or otherwise for the payment of the cost 723  
of a sports facility or the payment of obligations; 724

(c) Acquire, construct, renovate, repair, equip, lease to 725  
or from another person, and operate, directly or by a lease or 726  
management contract with another person, one or more sports 727  
facilities; 728

(d) To the extent provided in the cooperative agreement or 729  
a lease with respect to a sports facility, agree that the 730  
corporation will administer contracts for designing, planning, 731  
acquiring, constructing, renovating, repairing, or equipping a 732  
sports facility. 733

(5) The owner agrees to do one or more of the following: 734

(a) Use the sports facility that is the subject of the 735  
cooperative agreement for all of the home games of the owner's 736  
professional athletic or sports team for a specified period; 737

(b) Administer contracts for designing, planning, 738  
acquiring, constructing, renovating, repairing, or equipping a 739  
sports facility. 740

(C) Any obligations may be secured by a trust agreement 741  
between the issuer of obligations and a corporate trustee that 742  
is a trust company or bank having the powers of a trust company 743  
in or outside this state and authorized to exercise corporate 744  
trust powers in this state. Proceeds from the issuance of any 745  
obligations or the taxes levied and collected by any party to 746  
the cooperative agreement may be deposited with and administered 747  
by a trustee pursuant to the trust agreement. 748

~~(D) Any contract for the acquisition, construction,~~ 749

~~renovation, repair, or equipping of a sports facility entered~~ 750  
~~into, assigned, or assumed under this section shall provide that~~ 751  
~~all laborers and mechanics employed in the acquisition,~~ 752  
~~construction, renovation, repair, or equipping of the sports~~ 753  
~~facility shall be paid at the prevailing rates of wages of~~ 754  
~~laborers and mechanics for the class of work called for, as~~ 755  
~~those wages are determined in accordance with Chapter 4115. of~~ 756  
~~the Revised Code.~~ 757

**Sec. 307.674.** (A) As used in this section: 758

(1) "Bonds" means: 759

(a) Revenue bonds of the port authority described in 760  
division (B) (2) (a) of this section; 761

(b) Securities as defined in division (KK) of section 762  
133.01 of the Revised Code issued by the host municipal 763  
corporation, described in division (B) (3) (a) of this section; 764

(c) Any bonds issued to refund any of those revenue bonds 765  
or securities. 766

(2) "Corporation" means a nonprofit corporation that is 767  
organized under the laws of this state and that includes within 768  
the purposes for which it is incorporated the authorization to 769  
lease and operate facilities such as a port authority 770  
educational and cultural performing arts facility. 771

(3) "Cost," as applied to a port authority educational and 772  
cultural performing arts facility, means the cost of acquiring, 773  
constructing, renovating, rehabilitating, equipping, or 774  
improving the facility, or any combination of those purposes, 775  
collectively referred to in this section as "construction," and 776  
the cost of acquisition of all land, rights of way, property 777  
rights, easements, franchise rights, and interests required for 778

those purposes, the cost of demolishing or removing any 779  
buildings or structures on land so acquired, including the cost 780  
of acquiring any land to which those buildings or structures may 781  
be moved, the cost of public utility and common carrier 782  
relocation or duplication, the cost of all machinery, 783  
furnishings, and equipment, financing charges, interest prior to 784  
and during construction and for not more than three years after 785  
completion of construction, costs arising under guaranty 786  
agreements, reimbursement agreements, or other credit 787  
enhancement agreements relating to bonds, engineering, expenses 788  
of research and development with respect to such facility, legal 789  
expenses, plans, specifications, surveys, studies, estimates of 790  
costs and revenues, other expenses necessary or incident to 791  
determining the feasibility or practicability of acquiring or 792  
constructing the facility, administrative expense, and other 793  
expenses as may be necessary or incident to that acquisition or 794  
construction and the financing of such acquisition or 795  
construction, including, with respect to the revenue bonds of a 796  
port authority, amounts to be paid into any special funds from 797  
the proceeds of those bonds, and repayments to the port 798  
authority, host county, host municipal corporation, or 799  
corporation of any amounts advanced for the foregoing purposes. 800

(4) "Debt service charges" means, for any period or 801  
payable at any time, the principal of and interest and any 802  
premium due on bonds for that period or payable at that time 803  
whether due at maturity or upon mandatory redemption, together 804  
with any required deposits to reserves for the payment of 805  
principal of and interest on those bonds, and includes any 806  
payments required by the port authority to satisfy any of its 807  
obligations under or arising from any guaranty agreements, 808  
reimbursement agreements, or other credit enhancement agreements 809

described in division (C) of this section. 810

(5) "Host county" means the county within the boundaries 811  
of which the port authority educational and cultural performing 812  
arts facility is or will be located. 813

(6) "Host municipal corporation" means the municipal 814  
corporation within the boundaries of which the port authority 815  
educational and cultural performing arts facility is or will be 816  
located. 817

(7) "Port authority" means a port authority created 818  
pursuant to section 4582.22 of the Revised Code. 819

(8) "Port authority educational and cultural performing 820  
arts facility" means a facility that consists of a center for 821  
music or other performing arts, a theater or other facilities to 822  
provide programs of an educational, recreational, or cultural 823  
nature, or any combination of those purposes as determined by 824  
the parties to the cooperative agreement for which provision is 825  
made in division (B) of this section to fulfill the public 826  
educational, recreational, and cultural purposes set forth 827  
therein, together with all parking facilities, walkways, and 828  
other auxiliary facilities, real and personal property, property 829  
rights, easements, and interests that may be appropriate for, or 830  
used in connection with, the operation of the facility. 831

(B) A host county, a host municipal corporation, and a 832  
port authority may enter into a cooperative agreement with a 833  
corporation under which, as further provided for in that 834  
agreement: 835

(1) The host county may agree to do any or all of the 836  
following: 837

(a) Levy and collect a tax under division (E) and division 838

(F) of section 5739.09 of the Revised Code for the purposes, and 839  
in an amount sufficient for those purposes, described in 840  
divisions (B) (1) (b) and (c) of this section; 841

(b) Pay to the port authority all or such portion as 842  
provided for in the cooperative agreement of the revenue from 843  
the tax, together with any investment earnings on that revenue, 844  
to be used to pay a portion of the costs of acquiring, 845  
constructing, renovating, rehabilitating, equipping, or 846  
improving the port authority educational and cultural performing 847  
arts facility; 848

(c) Pledge and pay to the corporation all or such portion 849  
as provided for in the cooperative agreement of the revenue from 850  
the tax, together with any investment earnings on that revenue, 851  
to be used to pay a portion of the costs to the corporation of 852  
leasing the port authority educational and cultural performing 853  
arts facility from the port authority. 854

(2) The port authority may agree to do any or all of the 855  
following: 856

(a) Issue its revenue bonds pursuant to section 4582.48 of 857  
the Revised Code for the purpose of paying all or a portion of 858  
the costs of the port authority educational and cultural 859  
performing arts facility; 860

(b) Acquire, construct, renovate, rehabilitate, equip, and 861  
improve the port authority educational and cultural performing 862  
arts facility; 863

(c) Lease the port authority educational and cultural 864  
performing arts facility to the corporation; 865

(d) To the extent provided for in the cooperative 866  
agreement or the lease to the corporation, authorize the 867

corporation to administer on behalf of the port authority the 868  
contracts for acquiring, constructing, renovating, 869  
rehabilitating, or equipping the port authority educational and 870  
cultural performing arts facility; 871

(e) Use the revenue derived from the lease of the port 872  
authority educational and cultural performing arts facility to 873  
the corporation solely to pay debt service charges on revenue 874  
bonds of the port authority issued pursuant to division (B) (2) 875  
(a) of this section and to pay its obligations under or arising 876  
from any guaranty agreements, reimbursement agreements, or other 877  
credit enhancement agreements provided for in this section. 878

(3) The host municipal corporation may agree to do either 879  
or both of the following: 880

(a) Issue its bonds for the purpose of paying all or a 881  
portion of the costs of the port authority educational and 882  
cultural performing arts facility, and pay the proceeds from the 883  
issuance to the port authority for that purpose; 884

(b) Enter into a guaranty agreement, a reimbursement 885  
agreement, or other credit enhancement agreement with the port 886  
authority to provide a guaranty or other credit enhancement of 887  
the port authority revenue bonds referred to in division (B) (2) 888  
(a) of this section pledging taxes, other than ad valorem 889  
property taxes, or other revenues for the purpose of providing 890  
the funds required to satisfy the host municipal corporation's 891  
obligations under that agreement. 892

The cooperative agreement may provide that the proceeds of 893  
such securities or of such guaranty agreement, reimbursement 894  
agreement, or other credit enhancement agreement be deposited 895  
with and administered by the trustee pursuant to the trust 896

agreement authorized in division (C) of this section. 897

(4) The corporation may agree to do any or all of the 898  
following: 899

(a) Lease the port authority educational and cultural 900  
performing arts facility from the port authority; 901

(b) Operate and maintain the port authority educational 902  
and cultural performing arts facility pursuant to the lease; 903

(c) To the extent provided for in the cooperative 904  
agreement or the lease from the port authority, administer on 905  
behalf of the port authority the contracts for acquiring, 906  
constructing, renovating, rehabilitating, or equipping the port 907  
authority educational and cultural performing arts facility. 908

(C) The pledge and payments referred to in divisions (B) 909  
(1) (b) and (c) of this section and provided for in the 910  
cooperative agreement shall be for the period stated in the 911  
cooperative agreement but shall not extend longer than the 912  
period necessary to provide for the final retirement of the port 913  
authority revenue bonds referred to in division (B) (2) (a) of 914  
this section, and for the satisfaction by the port authority of 915  
any of its obligations under or arising from any guaranty 916  
agreements, reimbursement agreements, or other credit 917  
enhancement agreements relating to those bonds or to the 918  
revenues pledged to them. The cooperative agreement shall 919  
provide for the termination of the cooperative agreement, 920  
including the pledge and payment referred to in division (B) (1) 921  
(c) of this section, if the port authority revenue bonds 922  
referred to in division (B) (2) (a) of this section have not been 923  
issued, sold, and delivered within five years of the effective 924  
date of the cooperative agreement. 925



The cooperative agreement shall provide that any port 926  
authority revenue bonds shall be secured by a trust agreement 927  
between the port authority and a corporate trustee that is a 928  
trust company or bank having the powers of a trust company 929  
within or outside the state but authorized to exercise trust 930  
powers within the state. The host county may be a party to that 931  
trust agreement for the purpose of better securing the pledge by 932  
the host county of its payment to the corporation pursuant to 933  
division (B) (1) (c) of this section. A tax levied pursuant to 934  
section 5739.09 of the Revised Code for the purposes specified 935  
in division (B) (1) (b) or (c) of this section is not subject to 936  
diminution by initiative or referendum or diminution by statute, 937  
unless provision is made for an adequate substitute reasonably 938  
satisfactory to the trustee under the trust agreement that 939  
secures the port authority revenue bonds. 940

(D) A pledge of money by a host county under this section 941  
shall not be net indebtedness of the host county for purposes of 942  
section 133.07 of the Revised Code. A guaranty or other credit 943  
enhancement by a host municipal corporation under this section 944  
shall not be net indebtedness of the host municipal corporation 945  
for purposes of section 133.05 of the Revised Code. 946

(E) If the terms of the cooperative agreement so provide, 947  
any contract for the acquisition, construction, renovation, 948  
rehabilitation, equipping, or improving of a port authority 949  
educational and cultural performing arts facility shall be made 950  
in such manner as is determined by the board of directors of the 951  
port authority, and unless the cooperative agreement provides 952  
otherwise, such a contract is not subject to division ~~(R) (2)~~ (A) 953  
(18) (b) of section 4582.31 of the Revised Code. The port 954  
authority may take the assignment of and assume any contracts 955  
for the acquisition, construction, renovation, rehabilitation, 956

equipping, or improving of a port authority educational and 957  
cultural performing arts facility that had previously been 958  
authorized by any of the host county, the host municipality, or 959  
the corporation. Such contracts are not subject to division ~~(R)~~ 960  
~~(2)~~ (A) (18) (b) of section 4582.31 of the Revised Code. 961

~~Any contract for the acquisition, construction, 962  
renovation, rehabilitation, equipping, or improving of a port 963  
authority educational and cultural performing arts facility 964  
entered into, assigned, or assumed pursuant to this division 965  
shall provide that all laborers and mechanics employed for the 966  
acquisition, construction, renovation, rehabilitation, 967  
equipping, or improving of that facility shall be paid at the 968  
prevailing rates of wages of laborers and mechanics for the 969  
class of work called for by the port authority educational and 970  
cultural performing arts facility, which wages shall be 971  
determined in accordance with the requirements of Chapter 4115. 972  
of the Revised Code for the determination of prevailing wage 973  
rates. 974~~

Notwithstanding any provisions to the contrary in section 975  
123.281 of the Revised Code, construction services and general 976  
building services for a port authority educational and cultural 977  
performing arts facility funded completely or in part with money 978  
appropriated by the state to the Ohio facilities construction 979  
commission may be provided by a port authority or a corporation 980  
that occupies, will occupy, or is responsible for that facility, 981  
as determined by the commission. The construction services and 982  
general building services to be provided by the port authority 983  
or the corporation shall be specified in an agreement between 984  
the commission and the port authority or corporation. That 985  
agreement, or any actions taken under it, are not subject to 986  
Chapters 123. or 153. of the Revised Code, ~~but are subject to~~ 987

<del>Chapter 4115. of the Revised Code.</del>	988
<b>Sec. 307.696.</b> (A) As used in this section:	989
(1) "County taxes" means taxes levied by the county	990
pursuant to sections 307.697, 4301.421, 5743.024, and 5743.323	991
of the Revised Code.	992
(2) "Corporation" means a nonprofit corporation that is	993
organized under the laws of this state for the purposes of	994
operating or constructing and operating a sports facility in the	995
county and that may also be organized under the laws of this	996
state for the additional purposes of conducting redevelopment	997
and economic development activities within the host municipal	998
corporation.	999
(3) "Sports facility" means a sports facility that is	1000
intended to house major league professional athletic teams,	1001
including a stadium, together with all parking facilities,	1002
walkways, and other auxiliary facilities, real and personal	1003
property, property rights, easements, and interests that may be	1004
appropriate for, or used in connection with, the operation of	1005
the facility.	1006
(4) "Construction" includes, but is not limited to,	1007
providing fixtures, furnishings, and equipment and providing for	1008
capital repairs and improvements.	1009
(5) "Debt service charges" means the interest, principal,	1010
premium, if any, carrying and redemption charges, and expenses	1011
on bonds issued by either the county or the corporation to:	1012
(a) Construct a sports facility or provide for related	1013
redevelopment or economic development as provided in this	1014
section;	1015

(b) Acquire real and personal property, property rights, 1016  
easements, or interests that may be appropriate for, or used in 1017  
connection with, the operation of the facility; and 1018

(c) Make site improvements to real property, including, 1019  
but not limited to, demolition, excavation, and installation of 1020  
footers, pilings, and foundations. 1021

(6) "Host municipal corporation" means the municipal 1022  
corporation within the boundaries of which the sports facility 1023  
is located, and with which a national football league, major 1024  
league baseball, or national basketball association sports 1025  
franchise is associated on March 20, 1990. 1026

(B) A board of county commissioners of a county that 1027  
levies a tax under section 307.697, 4301.421, or 5743.024 of the 1028  
Revised Code may enter into an agreement with a corporation 1029  
operating in the county, and, if there is a host municipal 1030  
corporation all or a part of which is located in the county, 1031  
shall enter into an agreement with a corporation operating in 1032  
the county and the host municipal corporation, under which: 1033

(1) (a) The corporation agrees to construct and operate a 1034  
sports facility in the county and to pledge and contribute all 1035  
or any part of the revenues derived from its operation, as 1036  
specified in the agreement, for the purposes described in 1037  
division (C) (1) of this section; and 1038

(b) The board agrees to levy county taxes and pledge and 1039  
contribute any part or all of the revenues therefrom, as 1040  
specified in the agreement, for the purposes described in 1041  
division (C) (1) of this section; or 1042

(2) (a) The corporation agrees to operate a sports facility 1043  
constructed by the county and to pledge and contribute all or 1044

any part of the revenues derived from its operation, as 1045  
specified in the agreement, for the purposes described in 1046  
division (C) (2) of this section; and 1047

(b) The board agrees to issue revenue bonds of the county, 1048  
use the proceeds from the sale of the bonds to construct a 1049  
sports facility in the county, and to levy county taxes and 1050  
pledge and contribute all or any part of the revenues therefrom, 1051  
as specified in the agreement, for the purposes described in 1052  
division (C) (2) of this section; and, if applicable 1053

(3) The host municipal corporation agrees to expend the 1054  
unused pledges and contributions and surplus revenues as 1055  
described in divisions (C) (1) and (2) of this section for 1056  
redevelopment and economic development purposes related to the 1057  
sports facility. 1058

(C) (1) The primary purpose of the pledges and 1059  
contributions described in division (B) (1) of this section is 1060  
payment of debt service charges. To the extent the pledges and 1061  
contributions are not used by the county or corporation for 1062  
payment of debt service charges, the county or corporation, 1063  
pursuant to the agreement provided for in division (B) of this 1064  
section, shall provide the unused pledges and contributions, 1065  
together with surplus revenues of the sports facility not needed 1066  
for debt service charges or the operation and maintenance of the 1067  
sports facility, to the host municipal corporation, or a 1068  
nonprofit corporation, which may be the corporation acting on 1069  
behalf of the host municipal corporation, for redevelopment and 1070  
economic development purposes related to the sports facility. If 1071  
the county taxes are also levied for the purpose of making 1072  
permanent improvements, the agreement shall include a schedule 1073  
of annual pledges and contributions by the county for the 1074

payment of debt service charges. The county's pledge and 1075  
contribution provided for in the agreement shall be for the 1076  
period stated in the agreement but not to exceed twenty years. 1077  
The agreement shall provide that any such bonds and notes shall 1078  
be secured by a trust agreement between the corporation or other 1079  
bond issuer and a corporate trustee that is a trust company or 1080  
bank having the powers of a trust company within or without the 1081  
state, and the trust agreement shall pledge or assign to the 1082  
retirement of the bonds or notes, all moneys paid by the county 1083  
for that purpose under this section. A county tax, all or any 1084  
part of the revenues from which are pledged under an agreement 1085  
entered into by a board of county commissioners under this 1086  
section shall not be subject to diminution by initiative or 1087  
referendum, or diminution by statute, unless provision is made 1088  
therein for an adequate substitute therefor reasonably 1089  
satisfactory to the trustee under the trust agreement that 1090  
secures the bonds and notes. 1091

(2) The primary purpose of the pledges and contributions 1092  
described in division (B) (2) of this section is payment of debt 1093  
service charges. To the extent the pledges and contributions are 1094  
not used by the county for payment of debt service charges, the 1095  
county or corporation, pursuant to the agreement provided for in 1096  
division (B) of this section, shall provide the unused pledges 1097  
and contributions, together with surplus revenues of the sports 1098  
facility not needed for debt service charges or the operation 1099  
and maintenance of the sports facility, to the host municipal 1100  
corporation, or a nonprofit corporation, which may be the 1101  
corporation, acting on behalf of the host municipal corporation, 1102  
for redevelopment and economic development purposes related to 1103  
the sports facility. The corporation's pledge and contribution 1104  
provided for in the agreement shall be until all of the bonds 1105

issued for the construction of the facility have been retired. 1106

(D) A pledge of money by a county under this section shall 1107  
not be indebtedness of the county for purposes of Chapter 133. 1108  
of the Revised Code. 1109

(E) If the terms of the agreement so provide, the board of 1110  
county commissioners may acquire, make site improvements to, 1111  
including, but not limited to, demolition, excavation, and 1112  
installation of footers, pilings, and foundations, and lease 1113  
real property for the sports facility to a corporation that 1114  
constructs a sports facility under division (B)(1) of this 1115  
section. The agreement shall specify the term, which shall not 1116  
exceed thirty years and shall be on such terms as are set forth 1117  
in the agreement. The purchase, improvement, and lease may be 1118  
the subject of an agreement between the county and a municipal 1119  
corporation located within the county pursuant to section 153.61 1120  
or 307.15 of the Revised Code, and are not subject to the 1121  
limitations of sections 307.02 and 307.09 of the Revised Code. 1122

(F) The corporation shall not enter into any construction 1123  
contract or contract for the purchase of services for use in 1124  
connection with the construction of a sports facility prior to 1125  
the corporation's adoption and implementation of a policy on the 1126  
set aside of contracts for bidding by or award to minority 1127  
business enterprises, as defined in division (E)(1) of section 1128  
122.71 of the Revised Code. ~~Sections 4115.03 to 4115.16 of the~~ 1129  
~~Revised Code apply to a sports facility constructed under this~~ 1130  
~~section.~~ 1131

(G) Not more than one-half of the total costs, including 1132  
debt service charges and cost of operation, of a project 1133  
undertaken pursuant to an agreement entered into under division 1134  
(B) of this section shall be paid from county taxes. Nothing in 1135

this section authorizes the use of revenues from county taxes or 1136  
proceeds from the sale of bonds issued by the board of county 1137  
commissioners for payment of costs of operation of a sports 1138  
facility. 1139

**Sec. 351.06.** ~~A facility to be constructed pursuant to this~~ 1140  
~~chapter is a public improvement and a convention facilities~~ 1141  
~~authority is a public authority for purposes of section 4115.03~~ 1142  
~~of the Revised Code. All contractors and subcontractors working~~ 1143  
~~on such facilities are subject to and shall comply with sections~~ 1144  
~~4115.03 to 4115.16 of the Revised Code.~~ A convention facilities 1145  
authority is a contracting authority for purposes of sections 1146  
307.86 to 307.91 of the Revised Code. 1147

No convention facilities authority shall construct a 1148  
facility under this chapter unless the plans for the facility 1149  
provide for parking and transportation determined by the board 1150  
of county commissioners as adequate to serve that facility. 1151

A convention facilities authority may do all of the 1152  
following: 1153

(A) Adopt bylaws for the regulation of its affairs and the 1154  
conduct of its business; 1155

(B) Adopt an official seal; 1156

(C) Maintain a principal office within its territory; 1157

(D) Acquire, purchase, construct, reconstruct, enlarge, 1158  
furnish, equip, maintain, repair, sell, exchange, lease or rent 1159  
to, lease or rent from, operate, or contract for the operation 1160  
by others of, facilities within its territory, and make charges 1161  
for the use of the facilities; 1162

(E) Make available the use or services of any facility to 1163



persons or governmental agencies on such terms and conditions as 1164  
the authority shall determine; 1165

(F) By resolution of its board of directors, issue 1166  
convention facilities authority revenue bonds beyond the limit 1167  
of bonded indebtedness provided by law, payable solely from 1168  
revenues as provided in section 351.14 of the Revised Code, 1169  
unless the bonds are refunded by refunding bonds, for the 1170  
purpose of providing funds to pay the costs of any facility or 1171  
facilities or parts of any facility or facilities, and, if 1172  
moneys raised by taxation are not obligated or pledged for the 1173  
payment of those revenue bonds, to pay the costs of any facility 1174  
or facilities or parts of any facility or facilities pursuant to 1175  
Section 13 of Article VIII, Ohio Constitution, and in order to 1176  
create or preserve jobs and employment opportunities and improve 1177  
the economic welfare of the people of the state; 1178

(G) Maintain such funds as it determines necessary; 1179

(H) Direct its agents or employees, when properly 1180  
identified in writing and after at least five days' written 1181  
notice, to enter upon lands within its territory in order to 1182  
make surveys and examinations preliminary to location and 1183  
construction of facilities, or other work for the purposes of 1184  
the convention facilities authority, without liability of the 1185  
authority or its agents or employees except for actual damage 1186  
done; 1187

(I) Promote, advertise, and publicize the authority and 1188  
its facilities; 1189

(J) (1) Adopt rules, not in conflict with general law, 1190  
governing the use of its property, grounds, buildings, 1191  
equipment, and facilities, and the conduct of its employees and 1192

the public, in order to promote the public safety and 1193  
convenience in and about its facilities and grounds, and to 1194  
maintain order. Any such rule shall be posted at a prominent 1195  
place in each of the buildings or facilities to which it 1196  
applies. 1197

(2) No person shall violate any lawful rule adopted and 1198  
posted as provided in this division. 1199

(K) Acquire by gift or purchase, hold, lease, and dispose 1200  
of real and personal property and interests in the property in 1201  
the exercise of its powers and the performance of its duties 1202  
under this chapter; 1203

(L) Acquire, in the name of the authority, by purchase or 1204  
otherwise, on such terms and in such manner as the authority 1205  
finds proper, or by the exercise of the right of appropriation 1206  
in the manner provided by section 351.22 of the Revised Code, 1207  
such public or private lands, including public parks, 1208  
playgrounds, or reservations, or parts thereof or rights 1209  
therein, rights-of-way, rights, franchises, easements, and 1210  
interests as it finds necessary or proper for carrying out this 1211  
chapter, and compensation shall be paid for public or private 1212  
lands so taken; 1213

(M) Make and enter into all contracts and agreements and 1214  
execute all instruments necessary or incidental to the 1215  
performance of its duties and the execution of its powers under 1216  
this chapter provided that no construction contract or contract 1217  
for the purchase of goods or services shall be approved or 1218  
entered into by the authority prior to the adoption and 1219  
implementation of a policy on the set aside of contracts for 1220  
bidding by or award to minority business enterprises, as defined 1221  
in division (E) (1) of section 122.71 of the Revised Code; 1222

(N) Employ managers, superintendents, and other employees 1223  
and retain or contract with consulting engineers, financial 1224  
consultants, accounting experts, architects, attorneys, and such 1225  
other consultants and independent contractors as are necessary 1226  
in its judgment to carry out this chapter, and fix their 1227  
compensation. All expenses of doing so shall be payable solely 1228  
from the proceeds of convention facilities authority bonds and 1229  
notes issued under this chapter, or from excise taxes and 1230  
revenues. 1231

(O) Receive and accept from any governmental agency grants 1232  
for or in aid of the purposes of the authority, and receive and 1233  
accept aid or contributions from any source of money, property, 1234  
labor, or other things of value, to be held, used, and applied 1235  
only for the purposes for which such grants and contributions 1236  
are made; 1237

(P) Engage in research and development with respect to 1238  
facilities; 1239

(Q) Purchase fire and extended coverage and liability 1240  
insurance for any facility and for the offices of the authority, 1241  
insurance protecting the authority and its officers and 1242  
employees against liability for damage to property or injury to 1243  
or death of persons arising from its operations, and any other 1244  
insurance the authority may agree to provide under any 1245  
resolution authorizing its convention facilities authority 1246  
revenue bonds or in any trust agreement securing the same; 1247

(R) Charge, alter, and collect rentals and other charges 1248  
for the use or services of any facility as provided in section 1249  
351.09 of the Revised Code; 1250

(S) If a tax proposed under section 5739.026 of the 1251

Revised Code is disapproved by the electors, request the board 1252  
of county commissioners to dissolve the authority pursuant to 1253  
section 351.03 of the Revised Code; 1254

(T) By resolution of its board of directors, levy any of 1255  
the excise taxes authorized by division (B) or (C) of section 1256  
351.021 of the Revised Code if authorized by the county 1257  
commissioners, and issue convention facilities authority tax 1258  
anticipation bonds beyond any limit of bonded indebtedness 1259  
provided by law, payable solely from excise taxes levied 1260  
pursuant to division (B) or (C) of section 351.021 of the 1261  
Revised Code and revenues as provided in section 351.141 of the 1262  
Revised Code. 1263

(U) Do all acts necessary or proper to carry out the 1264  
powers expressly granted in this chapter. 1265

**Sec. 353.03.** A lake facilities authority may do all of the 1266  
following: 1267

(A) Acquire by purchase, lease, gift, or otherwise, on 1268  
such terms and in such manner as it considers proper, real and 1269  
personal property necessary for an authorized purpose or any 1270  
estate, interest, or right therein, within or without the 1271  
impacted lake district; 1272

(B) Improve, remediate, maintain, sell, lease, or 1273  
otherwise dispose of real and personal property on such terms 1274  
and in such manner as it considers proper; 1275

(C) Request that the department of natural resources, the 1276  
environmental protection agency, or the department of 1277  
agriculture adopt, modify, and enforce reasonable rules and 1278  
regulations governing impacted watersheds; 1279

(D) Employ such managers, administrative officers, agents, 1280

engineers, architects, attorneys, contractors, subcontractors, 1281  
and employees as may be appropriate in the exercise of the 1282  
rights, powers, and duties conferred on it, prescribe the duties 1283  
and compensation for such persons, require bonds to be given by 1284  
any such persons and by officers of the authority for the 1285  
faithful performance of their duties, and fix the amount and 1286  
surety therefor, and pay the surety; 1287

(E) Sue and be sued in its corporate name; 1288

(F) (1) Make and enter into all contracts and agreements 1289  
and execute all instruments relating to the provisions of this 1290  
chapter; 1291

(2) Except as provided otherwise under divisions (F) (2) 1292  
and (3) of this section, when the cost of a contract for the 1293  
construction of any building, structure, or other improvement 1294  
undertaken by a lake facilities authority involves an 1295  
expenditure exceeding fifty thousand dollars, and the lake 1296  
facilities authority is the contracting authority, the lake 1297  
facilities authority shall make a written contract after notice 1298  
calling for bids for the award of the contract has been given by 1299  
publication twice, with at least seven days between 1300  
publications, in a newspaper of general circulation in the 1301  
impacted lake district. Each such contract shall be awarded to 1302  
the lowest responsive and responsible bidder in accordance with 1303  
section 9.312 of the Revised Code. The board of directors by 1304  
rule may provide criteria for the negotiation and award without 1305  
competitive bidding of any contract as to which the lake 1306  
facilities authority is the contracting authority for the 1307  
construction of any building or structure or other improvement 1308  
under any of the following circumstances: 1309

(a) There exists a real and present emergency that 1310

threatens damage to property or injury to persons of the lake 1311  
facilities authority or other persons, provided that a statement 1312  
specifying the nature of the emergency that is the basis for the 1313  
negotiation and award of a contract without competitive bidding 1314  
shall be signed at the time of the contract's execution by the 1315  
officer of the lake facilities authority that executes the 1316  
contract and shall be attached to the contract. 1317

(b) A commonly recognized industry or other standard or 1318  
specification does not exist and cannot objectively be 1319  
articulated for the improvement. 1320

(c) The contract is for any energy conservation measure as 1321  
defined in section 307.041 of the Revised Code. 1322

(d) With respect to material to be incorporated into the 1323  
improvement, only a single source or supplier exists for the 1324  
material. 1325

(e) A single bid is received by the lake facilities 1326  
authority after complying with the above provisions. 1327

(3) In addition to the exceptions to competitive bidding 1328  
requirements under division (F)(2) of this section, a lake 1329  
facilities authority may contract for the acquisition or 1330  
construction of any property for an authorized purpose and for 1331  
the leasing, subleasing, sale, or other disposition of the 1332  
property in a manner determined by the lake facilities authority 1333  
in its sole discretion, without necessity for competitive 1334  
bidding or performance bonds. 1335

~~(4) With respect to any public improvement undertaken by, 1336~~  
~~or under contract for, the lake facilities authority, the 1337~~  
~~authority may elect to apply sections 4115.03 to 4115.21 of the 1338~~  
~~Revised Code. 1339~~

(G) Accept aid or contributions from any source of money, 1340  
property, labor, or other things of value, to be held, used, and 1341  
applied only for the purposes for which the grants and 1342  
contributions are made; 1343

(H) Apply for and accept grants, loans, or commitments of 1344  
guarantee or insurance, including any guarantees of lake 1345  
facilities authority bonds and notes, from the United States, 1346  
the state, or other public body or other sources, and provide 1347  
any consideration which may be required in order to obtain such 1348  
grants, loans, or contracts of guarantee or insurance; 1349

(I) Procure insurance against loss to the lake facilities 1350  
authority by reason of damage to its properties resulting from 1351  
fire, theft, accident, or other casualties, or by reason of its 1352  
liability for any damages to persons or property occurring in 1353  
the construction or operation of facilities or areas under its 1354  
jurisdiction or the conduct of its activities; 1355

(J) Maintain such funds or reserves as it considers 1356  
necessary for the efficient performance of its duties; 1357

(K) Enforce any covenants, of which the lake facilities 1358  
authority is the beneficiary, running with the land. 1359

(L) Issue securities for the remediation of an impacted 1360  
watershed and directly related permanent improvements in 1361  
compliance with Chapter 133. of the Revised Code, except that 1362  
such bonds or notes may be issued only pursuant to a vote of the 1363  
electors residing within the impacted lake district. The net 1364  
indebtedness incurred by a lake facilities authority pursuant to 1365  
this division may not exceed one-tenth of one per cent of the 1366  
total value of all property within the territory comprising the 1367  
impacted lake district as listed and assessed for taxation. 1368

(M) Issue lake facilities authority revenue bonds beyond 1369  
the limit of bonded indebtedness provided by law, payable solely 1370  
from revenues as provided in section 353.09 of the Revised Code 1371  
for the purpose of providing funds to pay costs of any facility 1372  
or facilities or parts thereof; 1373

(N) Advise and provide input to political subdivisions 1374  
within the impacted lake district with respect to zoning and 1375  
land use planning within the impacted lake district; 1376

(O) Enter into agreements for the management, ownership, 1377  
possession, or control of lands or property to be used for 1378  
wetland mitigation banking; 1379

(P) Adopt and modify rules and regulations to carry out 1380  
the authority granted to the lake facilities authority under 1381  
this section. 1382

**Sec. 1311.25.** As used in sections 1311.25 to 1311.32 of 1383  
the Revised Code: 1384

(A) "Public improvement" means any construction, 1385  
reconstruction, improvement, enlargement, alteration, 1386  
demolition, or repair of a building, highway, drainage system, 1387  
water system, road, street, alley, sewer, ditch, sewage disposal 1388  
plant, water works, and any other structure or work of any 1389  
nature by a public authority. 1390

(B) "Public authority" includes the state, and a county, 1391  
township, municipal corporation, school district, or other 1392  
political subdivision of the state, and any public agency, 1393  
authority, board, commission, instrumentality, or special 1394  
district of or in the state or a county, township, municipal 1395  
corporation, school district, or other political subdivision of 1396  
the state, and any officer or agent thereof. 1397



(C) "Material supplier" includes any person by whom any 1398  
materials are furnished in furtherance of a public improvement. 1399

(D) "Laborer" includes any mechanic, worker, artisan, or 1400  
other individual who performs labor or work in furtherance of 1401  
any public improvement. 1402

(E) "Subcontractor" includes any person who undertakes to 1403  
construct, alter, erect, improve, repair, demolish, remove, dig, 1404  
or drill any part of any public improvement under a contract 1405  
with any person other than the public authority. 1406

(F) "Principal contractor" includes any person who 1407  
undertakes to construct, alter, erect, improve, repair, 1408  
demolish, remove, dig, or drill any part of any public 1409  
improvement under a contract with a public authority. 1410

(G) "Materials" means all products and substances 1411  
including, without limitation, any gasoline, lubricating oil, 1412  
petroleum products, powder, dynamite, blasting supplies and 1413  
other explosives, tools, equipment, or machinery furnished in 1414  
furtherance of a public improvement. 1415

(H) "~~Wages~~" ~~has the same meaning as "prevailing wage" in~~ 1416  
~~division (E) of section 4115.03 of the Revised Code means the~~ 1417  
sum of the following: 1418

(1) The basic hourly rate of pay; 1419

(2) The rate of contribution irrevocably made by a 1420  
contractor or subcontractor to a trustee or to a third person 1421  
pursuant to a fund, plan, or program; 1422

(3) The rate of costs to the contractor or subcontractor, 1423  
which may be reasonably anticipated in providing the following 1424  
fringe benefits to laborers and mechanics pursuant to an 1425

enforceable commitment to carry out a financially responsible 1426  
plan or program, which was communicated in writing to the 1427  
laborers and mechanics affected: 1428

(a) Medical or hospital care or insurance to provide such; 1429

(b) Pensions on retirement or death or insurance to 1430  
provide such; 1431

(c) Compensation for injuries or illnesses resulting from 1432  
occupational activities if it is in addition to that coverage 1433  
required by Chapters 4121. and 4123. of the Revised Code; 1434

(d) Supplemental unemployment benefits that are in 1435  
addition to those required by Chapter 4141. of the Revised Code; 1436

(e) Life insurance; 1437

(f) Disability and sickness insurance; 1438

(g) Vacation and holiday pay; 1439

(h) Defraying of costs for apprenticeship or other similar 1440  
training programs that are beneficial only to the laborers and 1441  
mechanics affected; 1442

(i) Other bona fide fringe benefits. 1443

(I) "Notice of commencement" means the notice specified in 1444  
section 1311.252 of the Revised Code. 1445

(J) "Notice of furnishing" means the notice specified in 1446  
section 1311.261 of the Revised Code. 1447

**Sec. 1506.44.** (A) A board of county commissioners may use 1448  
a loan obtained under division (C) of this section to provide 1449  
financial assistance to any person who owns real property in a 1450  
coastal erosion area and who has received a permit under section 1451  
1506.40 of the Revised Code to construct an erosion control 1452

structure in that coastal erosion area. The board shall enter 1453  
into an agreement with the person that complies with all of the 1454  
following requirements: 1455

(1) The agreement shall identify the person's real 1456  
property for which the erosion control structure is being 1457  
constructed and shall include a legal description of that 1458  
property and a reference to the volume and page of the deed 1459  
record in which the title of that person to that property is 1460  
recorded. 1461

(2) In accordance with rules adopted by the Ohio water 1462  
development authority under division (V) of section 6121.04 of 1463  
the Revised Code for the purposes of division (C) of this 1464  
section and pursuant to an agreement between the board and the 1465  
authority under that division, the board shall agree to cause 1466  
payments to be made by the authority to the contractor hired by 1467  
the person to construct an erosion control structure in amounts 1468  
not to exceed the total amount specified in the agreement 1469  
between the board and the person. 1470

(3) The person shall agree to pay to the board, or to the 1471  
authority as the assignee pursuant to division (C) of this 1472  
section, the total amount of the payments plus administrative or 1473  
other costs of the board or the authority at times, in 1474  
installments, and bearing interest as specified in the 1475  
agreement. 1476

The agreement may contain additional provisions that the 1477  
board determines necessary to safeguard the interests of the 1478  
county or to comply with an agreement entered into under 1479  
division (C) of this section. 1480

(B) Upon entering into an agreement under division (A) of 1481

this section, the board shall do all of the following: 1482

(1) Cause the agreement to be recorded in the county deed 1483  
records in the office of the county recorder of the county in 1484  
which the real property is situated. Failure to record the 1485  
agreement does not affect the validity of the agreement or the 1486  
collection of any amounts due under the agreement. 1487

(2) Establish by resolution an erosion control repayment 1488  
fund into which shall be deposited all amounts collected under 1489  
division (B)(3) of this section. Moneys in that fund shall be 1490  
used by the board for the repayment of the loan and for 1491  
administrative or other costs of the board or the authority as 1492  
specified in an agreement entered into under division (C) of 1493  
this section. If the amount of money in the fund is inadequate 1494  
to repay the loan when due, the board of county commissioners, 1495  
by resolution, may advance money from any other fund in order to 1496  
repay the loan if that use of the money from the other fund is 1497  
not in conflict with law. If the board so advances money in 1498  
order to repay the loan, the board subsequently shall reimburse 1499  
each fund from which the board advances money with moneys from 1500  
the erosion control repayment fund. 1501

(3) Bill and collect all amounts when due under the 1502  
agreement entered into under division (A) of this section. The 1503  
board shall certify amounts not paid when due to the county 1504  
auditor, who shall enter the amounts on the real property tax 1505  
list and duplicate against the property identified under 1506  
division (A)(1) of this section. The amounts not paid when due 1507  
shall be a lien on that property from the date on which the 1508  
amounts are placed on the tax list and duplicate and shall be 1509  
collected in the same manner as other taxes. 1510

(C) A board may apply to the authority for a loan for the 1511

purpose of entering into agreements under division (A) of this 1512  
section. The loan shall be for an amount and on the terms 1513  
established in an agreement between the board and the authority. 1514  
The board may assign any agreements entered into under division 1515  
(A) of this section to the authority in order to provide for the 1516  
repayment of the loan and may pledge any lawfully available 1517  
revenues to the repayment of the loan, provided that no moneys 1518  
raised by taxation shall be obligated or pledged by the board 1519  
for the repayment of the loan. Any agreement with the authority 1520  
pursuant to this division is not subject to Chapter 133. of the 1521  
Revised Code or any requirements or limitations established in 1522  
that chapter. 1523

(D) The authority, as assignee of any agreement pursuant 1524  
to division (C) of this section, may enforce and compel the 1525  
board and the county auditor by mandamus pursuant to Chapter 1526  
2731. of the Revised Code to comply with division (B) of this 1527  
section in a timely manner. 1528

(E) The construction of an erosion control structure by a 1529  
contractor hired by an individual homeowner, group of individual 1530  
homeowners, or homeowners association that enters into an 1531  
agreement with a board under division (A) of this section ~~is not~~ 1532  
~~a public improvement, as defined in section 4115.03 of the~~ 1533  
~~Revised Code, and~~ is not subject to competitive bidding or 1534  
public bond laws. 1535

**Sec. 1509.071.** (A) When the chief of the division of oil 1536  
and gas resources management finds that an owner has failed to 1537  
comply with a final nonappealable order issued or compliance 1538  
agreement entered into under section 1509.04, the restoration 1539  
requirements of section 1509.072, plugging requirements of 1540  
section 1509.12, or permit provisions of section 1509.13 of the 1541

Revised Code, or rules and orders relating thereto, the chief 1542  
shall make a finding of that fact and declare any surety bond 1543  
filed to ensure compliance with those sections and rules 1544  
forfeited in the amount set by rule of the chief. The chief 1545  
thereupon shall certify the total forfeiture to the attorney 1546  
general, who shall proceed to collect the amount of the 1547  
forfeiture. In addition, the chief may require an owner, 1548  
operator, producer, or other person who forfeited a surety bond 1549  
to post a new surety bond in the amount of fifteen thousand 1550  
dollars for a single well, thirty thousand dollars for two 1551  
wells, or fifty thousand dollars for three or more wells. 1552

In lieu of total forfeiture, the surety or owner, at the 1553  
surety's or owner's option, may cause the well to be properly 1554  
plugged and abandoned and the area properly restored or pay to 1555  
the treasurer of state the cost of plugging and abandonment. 1556

(B) (1) All moneys collected because of forfeitures of 1557  
bonds as provided in this section shall be deposited in the 1558  
state treasury to the credit of the oil and gas well fund 1559  
created in section 1509.02 of the Revised Code. 1560

For purposes of promoting the competent management and 1561  
conservation of the state's oil and natural gas resources and 1562  
the proper and lawful plugging of historic oil and gas wells for 1563  
which there is no known responsible owner, the chief annually 1564  
shall spend not less than thirty per cent of the revenue 1565  
credited to the oil and gas well fund during the previous fiscal 1566  
year for both of the following purposes: 1567

(a) In accordance with division (E) of this section, to 1568  
plug idle and orphaned wells or to restore the land surface 1569  
properly as required in section 1509.072 of the Revised Code; 1570

(b) In accordance with division (F) of this section, to 1571  
correct conditions that the chief reasonably has determined are 1572  
causing imminent health or safety risks at an idle and orphaned 1573  
well or a well for which the owner cannot be contacted in order 1574  
to initiate a corrective action within a reasonable period of 1575  
time as determined by the chief. 1576

(2) Expenditures from the fund shall be made only for 1577  
lawful purposes. In addition, expenditures from the fund shall 1578  
not be made to purchase real property or to remove a dwelling in 1579  
order to access a well. 1580

The director of budget and management, in consultation 1581  
with the chief, shall establish an accounting code for purposes 1582  
of tracking expenditures made as required under this division. 1583

(C) (1) If a landowner discovers an idle and orphaned well 1584  
or abandoned well on the landowner's real property and the 1585  
landowner is not the owner of the well, the landowner may report 1586  
the existence of the well in writing to the chief. 1587

(2) If the chief receives a written report from a 1588  
landowner of the existence of an idle and orphaned well, the 1589  
chief shall inspect the well not later than thirty days after 1590  
the date of receipt of the landowner's report. 1591

(3) The chief shall establish a scoring matrix for use in 1592  
determining the priority of plugging wells or restoring land 1593  
surfaces at idle and orphaned well sites for purposes of this 1594  
section. The matrix shall include a classification system that 1595  
categorizes idle and orphaned wells as distressed-high priority, 1596  
moderate-medium priority, and maintenance-low priority. 1597

(4) The chief shall use the matrix developed under 1598  
division (C) (3) of this section to prioritize plugging and land 1599

restoration projects under this section. 1600

(D) (1) Upon determining that a well is an idle and 1601  
orphaned well, the chief shall do all of the following: 1602

(a) Make a reasonable attempt to determine from the 1603  
records in the office of the county recorder of the county in 1604  
which the well is located the identity of the current owner of 1605  
the land on which the well is located, the identity of each 1606  
person owning a right or interest in the oil or gas mineral 1607  
interests, and the identities of the persons having a lien upon 1608  
any of the equipment appurtenant to the well. For purposes of 1609  
division (D) (1) (a) of this section, the chief is not required to 1610  
review records in the office of the county recorder that are 1611  
older than forty years from the date on which the chief made the 1612  
determination that the well is an idle and orphaned well. 1613

(b) Mail notice to each person identified in division (D) 1614  
(1) (a) of this section; 1615

(c) Include in the notice to each person having a lien 1616  
upon any equipment appurtenant to the well, a statement 1617  
informing the person that the well is to be plugged and offering 1618  
the person the opportunity to remove that equipment from the 1619  
well site at the person's own expense in order to avoid 1620  
forfeiture of the equipment to this state; 1621

(d) Publish notice in a newspaper of general circulation 1622  
in the county where the well is located that the well is to be 1623  
plugged. 1624

(2) If the current address of a person identified in 1625  
division (D) (1) (a) of this section cannot be determined, or if a 1626  
notice provided by mail to a person under division (D) (1) (b) of 1627  
this section is returned undeliverable, the notice published 1628



under division (D)(1)(d) of this section constitutes sufficient 1629  
notice to the person. 1630

(3) If none of the persons described in division (D)(1)(a) 1631  
of this section removes equipment from the well within thirty 1632  
days after the mailing of the notice or publication in a 1633  
newspaper of general circulation, whichever is later, all 1634  
equipment appurtenant to the well is hereby declared to be 1635  
forfeited to this state without compensation and without the 1636  
necessity for any action by the state for use to defray the cost 1637  
of plugging the well and restoring the land surface at the well 1638  
site. 1639

(E) The chief may expend money from the oil and gas well 1640  
fund for the purpose of division (B)(1)(a) of this section, and 1641  
such expenditures shall be made in accordance with either of the 1642  
following: 1643

(1) The chief may make expenditures pursuant to contracts 1644  
entered into by either the chief or another agency of the state 1645  
with persons who agree to furnish all of the materials, 1646  
equipment, work, and labor as specified and provided in such a 1647  
contract for activities associated with the restoration or 1648  
plugging of a well as determined by the chief. If another agency 1649  
of the state enters into the contract, the chief shall prepare 1650  
the scope of work for the restoration or plugging of the well. 1651  
The activities may include excavation to uncover a well, 1652  
geophysical methods to locate a buried well when clear evidence 1653  
of leakage from the well exists, cleanout of wellbores to remove 1654  
material from a failed plugged well, plugging operations, 1655  
installation of vault and vent systems, including associated 1656  
engineering certifications and permits, restoration of property, 1657  
and repair of damage to property that is caused by such 1658

activities. The chief shall not make expenditures for salaries, 1659  
maintenance, equipment, or other administrative purposes, except 1660  
for costs directly attributed to the plugging of an idle and 1661  
orphaned well. Agents or employees of persons contracting with 1662  
the chief for a restoration or plugging project may enter upon 1663  
any land, public or private, on which the well is located for 1664  
the purpose of performing the work. Prior to such entry, the 1665  
chief shall give to the following persons written notice of the 1666  
existence of a contract for a project to restore a location or 1667  
plug a well, the names of the persons with whom the contract is 1668  
made, and the date that the project will commence: the owner of 1669  
the well, the owner of the land upon which the well is located, 1670  
and, if the well is located in the same township as or in a 1671  
township adjacent to the excavations and workings of a mine and 1672  
the owner or lessee of that mine has provided written notice 1673  
identifying those townships to the chief at any time during the 1674  
immediately preceding three years, the owner or lessee of the 1675  
mine. The chief may include in the notice to the owner or lessee 1676  
of the mine additional information, such as authorization to 1677  
plug an idle and orphaned well under section 1509.151 of the 1678  
Revised Code. 1679

(2) (a) The owner of the land on which a well is located 1680  
who has received notice under division (D) (1) (b) of this section 1681  
may plug the well and be reimbursed by the division of oil and 1682  
gas resources management for the reasonable cost of plugging the 1683  
well. In order to plug the well, the landowner shall submit an 1684  
application to the chief on a form prescribed by the chief and 1685  
approved by the technical advisory council on oil and gas 1686  
created in section 1509.38 of the Revised Code. The application, 1687  
at a minimum, shall require the landowner to provide the same 1688  
information as is required to be included in the application for 1689

a permit to plug and abandon under section 1509.13 of the Revised Code. The application shall be accompanied by a copy of a proposed contract to plug the well prepared by a contractor regularly engaged in the business of plugging oil and gas wells. The proposed contract shall require the contractor to furnish all of the materials, equipment, work, and labor necessary to plug the well properly and shall specify the price for doing the work, including a credit for the equipment appurtenant to the well that was forfeited to the state through the operation of division (D) (3) of this section. The contractor shall be insured and bonded. Expenditures under division (E) (2) (a) of this section shall be consistent with the expenditures for activities described in division (E) (1) of this section. The application constitutes an application for a permit to plug the well for the purposes of section 1509.13 of the Revised Code and the applicant is not required to submit the fee otherwise required under that section.

(b) Within thirty days after receiving an application and accompanying proposed contract under division (E) (2) (a) of this section, the chief shall determine whether the plugging would comply with the applicable requirements of this chapter and applicable rules adopted and orders issued under it and whether the cost of the plugging under the proposed contract is reasonable. If the chief determines that the proposed plugging would comply with those requirements and that the proposed cost of the plugging is reasonable, the chief shall notify the landowner of that determination and issue to the landowner a permit to plug the well under section 1509.13 of the Revised Code. Upon approval of the application and proposed contract, the ownership of the equipment appurtenant to the well is transferred to the landowner. The chief may disapprove an

application submitted under division (E) (2) (a) of this section 1721  
if the chief determines that the proposed plugging would not 1722  
comply with the applicable requirements of this chapter and 1723  
applicable rules adopted and orders issued under it, that the 1724  
cost of the plugging under the proposed contract is 1725  
unreasonable, or that the proposed contract is not a bona fide, 1726  
arm's length contract. 1727

(c) After receiving the chief's notice of the approval of 1728  
the application and permit to plug and abandon a well under 1729  
division (E) (2) (b) of this section, the landowner shall enter 1730  
into the proposed contract to plug the well. 1731

(d) Upon determining that the plugging has been completed 1732  
in compliance with the applicable requirements of this chapter 1733  
and applicable rules adopted and orders issued under it, the 1734  
chief shall pay the contractor for the cost of the plugging and 1735  
restoration as set forth in the proposed contract approved by 1736  
the chief. The payment shall be paid from the oil and gas well 1737  
fund. If the chief determines that the plugging was not 1738  
completed in accordance with the applicable requirements, the 1739  
chief shall not pay the contractor for the cost of the plugging, 1740  
and the landowner or the contractor, as applicable, promptly 1741  
shall transfer back to this state title to and possession of the 1742  
equipment appurtenant to the well that previously was 1743  
transferred to the landowner under division (E) (2) (b) of this 1744  
section. If any such equipment was removed from the well during 1745  
the plugging and sold, the landowner shall pay to the chief the 1746  
proceeds from the sale of the equipment, and the chief promptly 1747  
shall pay the moneys so received to the treasurer of state for 1748  
deposit into the oil and gas well fund. 1749

The chief may establish an annual limit on the number of 1750

wells that may be plugged under division (E) (2) of this section 1751  
or an annual limit on the expenditures to be made under that 1752  
division. The chief may reject an application submitted under 1753  
division (E) (2) of this section if the chief determines that the 1754  
plugging of other wells take priority. 1755

As used in division (E) (2) of this section, "plug" and 1756  
"plugging" include the plugging of the well, installation of a 1757  
vault and vent, restoration, and the restoration of the land 1758  
surface disturbed by the plugging. 1759

(F) (1) Expenditures from the oil and gas well fund for the 1760  
purpose of division (B) (1) (b) of this section may be made 1761  
pursuant to contracts entered into by either the chief or 1762  
another agency of the state with persons who agree to furnish 1763  
all of the materials, equipment, work, and labor as specified 1764  
and provided in such a contract. The competitive bidding 1765  
requirements of Chapter 153. of the Revised Code do not apply if 1766  
the chief reasonably determines that a situation exists 1767  
requiring immediate action for the correction of the applicable 1768  
health or safety risk. A contract or purchase of materials for 1769  
purposes of addressing the emergency situation is not subject to 1770  
division (B) of section 127.16 of the Revised Code. The chief, 1771  
designated representatives of the chief, and agents or employees 1772  
of persons contracting with the chief under this division may 1773  
enter upon any land, public or private, for the purpose of 1774  
performing the work. 1775

(2) The chief shall issue an order that requires the owner 1776  
of a well to pay the actual documented costs of a corrective 1777  
action that is described in division (B) (1) (b) of this section 1778  
concerning the well. The chief shall transmit the money so 1779  
recovered to the treasurer of state who shall deposit the money 1780

in the state treasury to the credit of the oil and gas well 1781  
fund. 1782

(G) Contracts entered into by either the chief or another 1783  
agency of the state under this section are not subject to ~~any~~ 1784  
either of the following: 1785

(1) ~~Chapter 4115. of the Revised Code;~~ 1786

~~(2)~~ Section 153.54 of the Revised Code; 1787

~~(3)~~ (2) Section 4733.17 of the Revised Code. 1788

(H) The owner of land on which a well is located who has 1789  
received notice under division (D) (1) (b) of this section, in 1790  
lieu of plugging the well in accordance with division (E) (2) of 1791  
this section, may cause ownership of the well to be transferred 1792  
to an owner who is lawfully doing business in this state and who 1793  
has met the financial responsibility requirements established 1794  
under section 1509.07 of the Revised Code, subject to the 1795  
approval of the chief. The transfer of ownership also shall be 1796  
subject to the landowner's filing the appropriate forms required 1797  
under section 1509.31 of the Revised Code and providing to the 1798  
chief sufficient information to demonstrate the landowner's or 1799  
owner's right to produce a formation or formations. That 1800  
information may include a deed, a lease, or other documentation 1801  
of ownership or property rights. 1802

The chief shall approve or disapprove by order the 1803  
transfer of ownership of the well. If the chief approves the 1804  
transfer, the owner is responsible for operating the well in 1805  
accordance with this chapter and rules adopted under it, 1806  
including, without limitation, all of the following: 1807

(1) Filing an application with the chief under section 1808  
1509.06 of the Revised Code if the owner intends to drill deeper 1809

or produce a formation that is not listed in the records of the 1810  
division for that well; 1811

(2) Taking title to and possession of the equipment 1812  
appurtenant to the well that has been identified by the chief as 1813  
having been abandoned by the former owner; 1814

(3) Complying with all applicable requirements that are 1815  
necessary to drill deeper, plug the well, or plug back the well. 1816

(I) The chief may engage in cooperative projects under 1817  
this section with any agency of this state, another state, or 1818  
the United States; any other governmental agencies; or any state 1819  
university or college as defined in section 3345.27 of the 1820  
Revised Code. A contract entered into for purposes of a 1821  
cooperative project is not subject to division (B) of section 1822  
127.16 of the Revised Code. 1823

(J) (1) On or before the close of each calendar quarter, 1824  
the chief shall submit a written report to the technical 1825  
advisory council established under section 1509.38 of the 1826  
Revised Code describing the efforts of the division of oil and 1827  
gas resources management to plug idle and orphaned wells during 1828  
the immediately preceding calendar quarter. The chief also shall 1829  
include in the report all of the following information: 1830

(a) The total number of known idle and orphaned wells in 1831  
the state and the total number in each county of the state; 1832

(b) The total number of newly discovered idle and orphaned 1833  
wells during the immediately preceding calendar quarter; 1834

(c) The total number of wells plugged in accordance with 1835  
this section during the immediately preceding calendar quarter; 1836

(d) The total number of wells plugged in accordance with 1837

this section and the estimated average and indirect costs of 1838  
plugging activities conducted under this section prior to the 1839  
date of the report; 1840

(e) The number of wells approved for plugging in 1841  
accordance with this section and the estimated average and 1842  
indirect costs of plugging activities conducted under this 1843  
section during the immediately preceding calendar quarter. 1844

(2) Not later than the thirty-first day of March of each 1845  
year, the chief and the technical advisory council shall jointly 1846  
provide a report containing, at a minimum, the information 1847  
required to be included in the quarterly reports during the 1848  
previous one-year period to all of the following: 1849

(a) The speaker of the house of representatives; 1850

(b) The president of the senate; 1851

(c) The chair of the committee of the house of 1852  
representatives responsible for energy and natural resources 1853  
issues; 1854

(d) The chair of the committee of the senate responsible 1855  
for energy and natural resources issues. 1856

**Sec. 1710.02.** (A) A special improvement district may be 1857  
created within the boundaries of any one municipal corporation, 1858  
any one township, or any combination of contiguous municipal 1859  
corporations and townships for the purpose of developing and 1860  
implementing plans for public improvements and public services 1861  
that benefit the district. A district may be created by petition 1862  
of the owners of real property within the proposed district, or 1863  
by an existing qualified nonprofit corporation. If the district 1864  
is created by an existing qualified nonprofit corporation, the 1865  
purposes for which the district is created may be supplemental 1866



to the other purposes for which the corporation is organized. 1867  
All territory in a special improvement district shall be 1868  
contiguous; except that the territory in a special improvement 1869  
district may be noncontiguous if at least one special energy 1870  
improvement project is designated for each parcel of real 1871  
property included within the special improvement district. 1872  
Additional territory may be added to a special improvement 1873  
district created under this chapter for the purpose of 1874  
developing and implementing plans for special energy improvement 1875  
projects if at least one special energy improvement project is 1876  
designated for each parcel of real property included within such 1877  
additional territory and the addition of territory is authorized 1878  
by the initial plan proposed under division (F) of this section 1879  
or a plan adopted by the board of directors of the special 1880  
improvement district under section 1710.06 of the Revised Code. 1881

The district shall be governed by the board of trustees of 1882  
a nonprofit corporation. This board shall be known as the board 1883  
of directors of the special improvement district. No special 1884  
improvement district shall include any church property, or 1885  
property of the federal or state government or a county, 1886  
township, or municipal corporation, unless the church or the 1887  
county, township, or municipal corporation specifically requests 1888  
in writing that the property be included within the district, or 1889  
unless the church is a member of the existing qualified 1890  
nonprofit corporation creating the district at the time the 1891  
district is created. More than one district may be created 1892  
within a participating political subdivision, but no real 1893  
property may be included within more than one district unless 1894  
the owner of the property files a written consent with the clerk 1895  
of the legislative authority, the township fiscal officer, or 1896  
the village clerk, as appropriate. The area of each district 1897

shall be contiguous; except that the area of a special 1898  
improvement district may be noncontiguous if all parcels of real 1899  
property included within such area contain at least one special 1900  
energy improvement thereon. 1901

(B) Except as provided in division (C) of this section, a 1902  
district created under this chapter is not a political 1903  
subdivision. A district created under this chapter shall be 1904  
considered a public agency under section 102.01 ~~and a public~~ 1905  
~~authority under section 4115.03~~ of the Revised Code. Each member 1906  
of the board of directors of a district, each member's designee 1907  
or proxy, and each officer and employee of a district shall be 1908  
considered a public official or employee under section 102.01 of 1909  
the Revised Code and a public official and public servant under 1910  
section 2921.42 of the Revised Code. Districts created under 1911  
this chapter are not subject to sections 121.81 to 121.83 of the 1912  
Revised Code. Districts created under this chapter are subject 1913  
to sections 121.22 and 121.23 of the Revised Code. 1914

(C) Each district created under this chapter shall be 1915  
considered a political subdivision for purposes of section 1916  
4905.34 of the Revised Code. 1917

Membership on the board of directors of the district shall 1918  
not be considered as holding a public office. Directors and 1919  
their designees shall be entitled to the immunities provided by 1920  
Chapter 1702. and to the same immunity as an employee under 1921  
division (A) (6) of section 2744.03 of the Revised Code, except 1922  
that directors and their designees shall not be entitled to the 1923  
indemnification provided in section 2744.07 of the Revised Code 1924  
unless the director or designee is an employee or official of a 1925  
participating political subdivision of the district and is 1926  
acting within the scope of the director's or designee's 1927

employment or official responsibilities. 1928

District officers and district members and directors and 1929  
their designees or proxies shall not be required to file a 1930  
statement with the Ohio ethics commission under section 102.02 1931  
of the Revised Code. All records of the district shall be 1932  
treated as public records under section 149.43 of the Revised 1933  
Code, except that records of organizations contracting with a 1934  
district shall not be considered to be public records under 1935  
section 149.43 or section 149.431 of the Revised Code solely by 1936  
reason of any contract with a district. 1937

(D) Except as otherwise provided in this section, the 1938  
nonprofit corporation that governs a district shall be organized 1939  
in the manner described in Chapter 1702. of the Revised Code. 1940  
Except in the case of a district created by an existing 1941  
qualified nonprofit corporation, the corporation's articles of 1942  
incorporation are required to be approved, as provided in 1943  
division (E) of this section, by resolution of the legislative 1944  
authority of each participating political subdivision of the 1945  
district. A copy of that resolution shall be filed along with 1946  
the articles of incorporation in the secretary of state's 1947  
office. 1948

In addition to meeting the requirements for articles of 1949  
incorporation set forth in Chapter 1702. of the Revised Code, 1950  
the articles of incorporation for the nonprofit corporation 1951  
governing a district formed under this chapter shall provide all 1952  
the following: 1953

(1) The name for the district, which shall include the 1954  
name of each participating political subdivision of the 1955  
district; 1956

(2) A description of the territory within the district, 1957  
which may be all or part of each participating political 1958  
subdivision. The description shall be specific enough to enable 1959  
real property owners to determine if their property is located 1960  
within the district. 1961

(3) A description of the procedure by which the articles 1962  
of incorporation may be amended. The procedure shall include 1963  
receiving approval of the amendment, by resolution, from the 1964  
legislative authority of each participating political 1965  
subdivision and filing the approved amendment and resolution 1966  
with the secretary of state. 1967

(4) The reasons for creating the district, plus an 1968  
explanation of how the district will be conducive to the public 1969  
health, safety, peace, convenience, and welfare of the district. 1970

(E) The articles of incorporation for a nonprofit 1971  
corporation governing a district created under this chapter and 1972  
amendments to them shall be submitted to the municipal 1973  
executive, if any, and the legislative authority of each 1974  
municipal corporation or township in which the proposed district 1975  
is to be located. Except in the case of a district created by an 1976  
existing qualified nonprofit corporation, the articles or 1977  
amendments shall be accompanied by a petition signed either by 1978  
the owners of at least sixty per cent of the front footage of 1979  
all real property located in the proposed district that abuts 1980  
upon any street, alley, public road, place, boulevard, parkway, 1981  
park entrance, easement, or other existing public improvement 1982  
within the proposed district, excluding church property or 1983  
property owned by the state, county, township, municipal, or 1984  
federal government, unless a church, county, township, or 1985  
municipal corporation has specifically requested in writing that 1986

the property be included in the district, or by the owners of at 1987  
least seventy-five per cent of the area of all real property 1988  
located within the proposed district, excluding church property 1989  
or property owned by the state, county, township, municipal, or 1990  
federal government, unless a church, county, township, or 1991  
municipal corporation has specifically requested in writing that 1992  
the property be included in the district. Pursuant to Section 2o 1993  
of Article VIII, Ohio Constitution, the petition required under 1994  
this division may be for the purpose of developing and 1995  
implementing plans for special energy improvement projects, and, 1996  
in such case, is determined to be in furtherance of the purposes 1997  
set forth in Section 2o of Article VIII, Ohio Constitution. If a 1998  
special improvement district is being created under this chapter 1999  
for the purpose of developing and implementing plans for special 2000  
energy improvement projects, the petition required under this 2001  
division shall be signed by one hundred per cent of the owners 2002  
of the area of all real property located within the proposed 2003  
special improvement district, at least one special energy 2004  
improvement project shall be designated for each parcel of real 2005  
property within the special improvement district, and the 2006  
special improvement district may include any number of parcels 2007  
of real property as determined by the legislative authority of 2008  
each participating political subdivision in which the proposed 2009  
special improvement district is to be located. For purposes of 2010  
determining compliance with these requirements, the area of the 2011  
district, or the front footage and ownership of property, shall 2012  
be as shown in the most current records available at the county 2013  
recorder's office and the county engineer's office sixty days 2014  
prior to the date on which the petition is filed. 2015

Each municipal corporation or township with which the 2016  
petition is filed has sixty days to approve or disapprove, by 2017

resolution, the petition, including the articles of 2018  
incorporation. In the case of a district created by an existing 2019  
qualified nonprofit corporation, each municipal corporation or 2020  
township has sixty days to approve or disapprove the creation of 2021  
the district after the corporation submits the articles of 2022  
incorporation or amendments thereto. This chapter does not 2023  
prohibit or restrict the rights of municipal corporations under 2024  
Article XVIII of the Ohio Constitution or the right of the 2025  
municipal legislative authority to impose reasonable conditions 2026  
in a resolution of approval. The acquisition, installation, 2027  
equipping, and improvement of a special energy improvement 2028  
project under this chapter shall not supersede any local zoning, 2029  
environmental, or similar law or regulation. 2030

(F) Persons proposing creation and operation of the 2031  
district may propose an initial plan for public services or 2032  
public improvements that benefit all or any part of the 2033  
district. Any initial plan shall be submitted as part of the 2034  
petition proposing creation of the district or, in the case of a 2035  
district created by an existing qualified nonprofit corporation, 2036  
shall be submitted with the articles of incorporation or 2037  
amendments thereto. 2038

An initial plan may include provisions for the following: 2039

(1) Creation and operation of the district and of the 2040  
nonprofit corporation to govern the district under this chapter; 2041

(2) Hiring employees and professional services; 2042

(3) Contracting for insurance; 2043

(4) Purchasing or leasing office space and office 2044  
equipment; 2045

(5) Other actions necessary initially to form, operate, or 2046

organize the district and the nonprofit corporation to govern 2047  
the district; 2048

(6) A plan for public improvements or public services that 2049  
benefit all or part of the district, which plan shall comply 2050  
with the requirements of division (A) of section 1710.06 of the 2051  
Revised Code and may include, but is not limited to, any of the 2052  
permissive provisions described in the fourth sentence of that 2053  
division or listed in divisions (A)(1) to (7) of that section; 2054

(7) If the special improvement district is being created 2055  
under this chapter for the purpose of developing and 2056  
implementing plans for special energy improvement projects, 2057  
provision for the addition of territory to the special 2058  
improvement district. 2059

After the initial plan is approved by all municipal 2060  
corporations and townships to which it is submitted for approval 2061  
and the district is created, each participating subdivision 2062  
shall levy a special assessment within its boundaries to pay for 2063  
the costs of the initial plan. The levy shall be for no more 2064  
than ten years from the date of the approval of the initial 2065  
plan; except that if the proceeds of the levy are to be used to 2066  
pay the costs of a special energy improvement project, the levy 2067  
of a special assessment shall be for no more than thirty years 2068  
from the date of approval of the initial plan. In the event that 2069  
additional territory is added to a special improvement district, 2070  
the special assessment to be levied with respect to such 2071  
additional territory shall commence not earlier than the date 2072  
such territory is added and shall be for no more than thirty 2073  
years from such date. For purposes of levying an assessment for 2074  
this initial plan, the services or improvements included in the 2075  
initial plan shall be deemed a special benefit to property 2076

owners within the district. 2077

(G) Each nonprofit corporation governing a district under 2078  
this chapter may do the following: 2079

(1) Exercise all powers of nonprofit corporations granted 2080  
under Chapter 1702. of the Revised Code that do not conflict 2081  
with this chapter; 2082

(2) Develop, adopt, revise, implement, and repeal plans 2083  
for public improvements and public services for all or any part 2084  
of the district; 2085

(3) Contract with any person, political subdivision as 2086  
defined in section 2744.01 of the Revised Code, or state agency 2087  
as defined in section 1.60 of the Revised Code to develop and 2088  
implement plans for public improvements or public services 2089  
within the district; 2090

(4) Contract and pay for insurance for the district and 2091  
for directors, officers, agents, contractors, employees, or 2092  
members of the district for any consequences of the 2093  
implementation of any plan adopted by the district or any 2094  
actions of the district. 2095

The board of directors of a special improvement district 2096  
may, acting as agent and on behalf of a participating political 2097  
subdivision, sell, transfer, lease, or convey any special energy 2098  
improvement project owned by the participating political 2099  
subdivision upon a determination by the legislative authority 2100  
thereof that the project is not required to be owned exclusively 2101  
by the participating political subdivision for its purposes, for 2102  
uses determined by the legislative authority thereof as those 2103  
that will promote the welfare of the people of such 2104  
participating political subdivision; to improve the quality of 2105



life and the general and economic well-being of the people of 2106  
the participating political subdivision; better ensure the 2107  
public health, safety, and welfare; protect water and other 2108  
natural resources; provide for the conservation and preservation 2109  
of natural and open areas and farmlands, including by making 2110  
urban areas more desirable or suitable for development and 2111  
revitalization; control, prevent, minimize, clean up, or mediate 2112  
certain contamination of or pollution from lands in the state 2113  
and water contamination or pollution; or provide for safe and 2114  
natural areas and resources. The legislative authority of each 2115  
participating political subdivision shall specify the 2116  
consideration for such sale, transfer, lease, or conveyance and 2117  
any other terms thereof. Any determinations made by a 2118  
legislative authority of a participating political subdivision 2119  
under this division shall be conclusive. 2120

Any sale, transfer, lease, or conveyance of a special 2121  
energy improvement project by a participating political 2122  
subdivision or the board of directors of the special improvement 2123  
district may be made without advertising, receipt of bids, or 2124  
other competitive bidding procedures applicable to the 2125  
participating political subdivision or the special improvement 2126  
district under Chapter 153. or 735. or section 1710.11 of the 2127  
Revised Code or other representative provisions of the Revised 2128  
Code. 2129

**Sec. 5540.03.** (A) A transportation improvement district 2130  
may: 2131

(1) Adopt bylaws for the regulation of its affairs and the 2132  
conduct of its business; 2133

(2) Adopt an official seal; 2134

(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  
common pleas of the county in which the cause of action arose,  
and all summonses, exceptions, and notices of every kind shall  
be served on the district by leaving a copy thereof at its  
principal office with the secretary-treasurer;

(4) Purchase, construct, maintain, repair, sell, exchange,  
police, operate, or lease projects;

(5) Issue either or both of the following for the purpose  
of providing funds to pay the costs of any project or part  
thereof:

(a) Transportation improvement district revenue bonds;

(b) Bonds pursuant to Section 13 of Article VIII, Ohio  
Constitution<sup>7</sup>.

(6) Maintain such funds as it considers necessary;

(7) Direct its agents or employees, when properly  
identified in writing and after at least five days' written  
notice, to enter upon lands within its jurisdiction to make  
surveys and examinations preliminary to the location and  
construction of projects for the district, without liability of  
the district or its agents or employees except for actual damage  
done;

(8) Make and enter into all contracts and agreements  
necessary or incidental to the performance of its functions and  
the execution of its powers under this chapter;

(9) Employ or retain or contract for the services of

consulting engineers, superintendents, managers, and such other 2163  
engineers, construction and accounting experts, financial 2164  
advisers, trustees, marketing, remarketing, and administrative 2165  
agents, attorneys, and other employees, independent contractors, 2166  
or agents as are necessary in its judgment and fix their 2167  
compensation, provided all such expenses shall be payable solely 2168  
from the proceeds of bonds or from revenues; 2169

(10) Receive and accept from the federal or any state or 2170  
local government, including, but not limited to, any agency, 2171  
entity, or instrumentality of any of the foregoing, loans and 2172  
grants for or in aid of the construction, maintenance, or repair 2173  
of any project, and receive and accept aid or contributions from 2174  
any source or person of money, property, labor, or other things 2175  
of value, to be held, used, and applied only for the purposes 2176  
for which such loans, grants, and contributions are made. 2177  
Nothing in division (A) (10) of this section shall be construed 2178  
as imposing any liability on this state for any loan received by 2179  
a transportation improvement district from a third party unless 2180  
this state has entered into an agreement to accept such 2181  
liability. 2182

(11) Acquire, hold, and dispose of property in the 2183  
exercise of its powers and the performance of its duties under 2184  
this chapter; 2185

(12) Establish and collect tolls or user charges for its 2186  
projects; 2187

(13) Subject to section 5540.18 of the Revised Code, enter 2188  
into an agreement with a contiguous board of county 2189  
commissioners other than the board of county commissioners that 2190  
created the transportation improvement district, for the 2191  
district to exercise all or any portion of its powers with 2192

respect to a project that is located wholly or partially within 2193  
the county that is party to the agreement; 2194

(14) Do all acts necessary and proper to carry out the 2195  
powers expressly granted in this chapter. 2196

(B) Chapters 123., 124., 125., and 153., ~~and 4115.~~, and 2197  
sections 9.331 to 9.335 and 307.86 of the Revised Code do not 2198  
apply to contracts or projects of a transportation improvement 2199  
district. 2200

**Sec. 5747.503.** (A) On or before the tenth day of each 2201  
month, the tax commissioner shall provide for payment to each 2202  
county undivided local government fund of a supplement for 2203  
townships. The commissioner shall determine the amounts paid to 2204  
each fund as follows: 2205

(1) ~~An amount equal to forty-one and sixty-seven one-~~ 2206  
~~hundredths per cent of one million~~ Two million five hundred 2207  
thousand thirty-three dollars shall be divided among every 2208  
county fund so that each township in the state receives an equal 2209  
amount. 2210

(2) An amount equal to forty-one and sixty-seven one- 2211  
hundredths per cent of one million dollars shall be divided 2212  
among every county fund so that each township receives a 2213  
proportionate share based on the proportion that the total 2214  
township road miles in the township is of the total township 2215  
road miles in all townships in the state. 2216

(B) (1) As used in this division, "qualifying village" 2217  
means a village with a population of less than one thousand 2218  
according to the most recent federal decennial census. 2219

(2) On or before the tenth day of each month, the tax 2220  
commissioner shall provide for payment to each county undivided 2221

local government fund of a supplement for qualifying villages. 2222  
The commissioner shall determine the amounts paid to each fund 2223  
as follows: 2224

(a) An amount equal to eight and thirty-three one- 2225  
hundredths per cent of one million dollars shall be divided 2226  
among every county fund so that each qualifying village in the 2227  
state receives an equal amount. 2228

(b) An amount equal to eight and thirty-three one- 2229  
hundredths per cent of one million dollars shall be divided 2230  
among every county fund so that each qualifying village receives 2231  
a proportionate share based on the proportion that the total 2232  
village road miles in the qualifying village is of the total 2233  
village road miles in all qualifying villages in the state. 2234

(C) The tax commissioner shall separately identify to the 2235  
county treasurer the amounts to be allocated to each township 2236  
under divisions (A) (1) and (2) of this section and to each 2237  
qualifying village under divisions (B) (2) (a) and (b) of this 2238  
section. The treasurer shall transfer those amounts to townships 2239  
and qualifying villages from the undivided local government 2240  
fund. 2241

(D) The tax commissioner shall update the road mile 2242  
information used to determine payments under divisions (A) and 2243  
(B) of this section at least once every five years, and may 2244  
update such information more often at the commissioner's 2245  
discretion. 2246

**Sec. 6117.012.** (A) A board of county commissioners may 2247  
adopt rules requiring owners of property within the district 2248  
whose property is served by a connection to sewers maintained 2249  
and operated by the board or to sewers that are connected to 2250

interceptor sewers maintained and operated by the board to do 2251  
any of the following: 2252

(1) Disconnect storm water inflows to sanitary sewers 2253  
maintained and operated by the board and not operated as a 2254  
combined sewer, or to connections with those sewers; 2255

(2) Disconnect non-storm water inflows to storm water 2256  
sewers maintained and operated by the board and not operated as 2257  
a combined sewer, or to connections with those storm water 2258  
sewers; 2259

(3) Reconnect or relocate any such disconnected inflows in 2260  
compliance with board rules and applicable building codes, 2261  
health codes, or other relevant codes; 2262

(4) Prevent sewer back-ups into properties that have 2263  
experienced one or more back-ups of sanitary or combined sewers 2264  
maintained and operated by the board; 2265

(5) Prevent storm water from entering a combined sewer and 2266  
causing an overflow or an inflow to a sanitary sewer, which 2267  
prevention may include projects or programs that separate the 2268  
storm water from a combined sewer or that utilize a prevention 2269  
or replacement facility to prevent or minimize storm water from 2270  
entering a combined sewer or a sanitary sewer. 2271

(B) Any inflow required to be disconnected or any sewer 2272  
back-up required to be prevented under a rule adopted pursuant 2273  
to divisions (A) (1) to (4) of this section constitutes a 2274  
nuisance subject to injunctive relief and abatement pursuant to 2275  
Chapter 3767. of the Revised Code or as otherwise permitted by 2276  
law. 2277

(C) A board of county commissioners may use sewer district 2278  
funds; county general fund moneys; the proceeds of bonds issued 2279

under Chapter 133. or 165. of the Revised Code; and, to the 2280  
extent permitted by their terms, loans, grants, or other moneys 2281  
from appropriate state or federal funds, for either of the 2282  
following: 2283

(1) The cost of disconnections, reconnections, 2284  
relocations, combined sewer overflow prevention, or sewer back- 2285  
up prevention required by rules adopted pursuant to division (A) 2286  
of this section, performed by the county or under contract with 2287  
the county; 2288

(2) Payments to the property owner or a contractor hired 2289  
by the property owner pursuant to a competitive process 2290  
established by district rules, for the cost of disconnections, 2291  
reconnections, relocations, combined sewer overflow prevention, 2292  
or sewer back-up prevention required by rules adopted pursuant 2293  
to division (A) of this section after the board, pursuant to its 2294  
rules, has approved the work to be performed and after the 2295  
county has received from the property owner a statement 2296  
releasing the county from all liability in connection with the 2297  
disconnections, reconnections, relocations, combined sewer 2298  
overflow prevention, or sewer back-up prevention. 2299

(D) Except as provided in division (E) of this section, 2300  
the board of county commissioners shall require in its rules 2301  
regarding disconnections, reconnections, relocations of sewers, 2302  
combined sewer overflow prevention, or sewer back-up prevention 2303  
the reimbursement of moneys expended pursuant to division (C) of 2304  
this section by either of the following methods: 2305

(1) A charge to the property owner in the amount of the 2306  
payment made pursuant to division (C) of this section for 2307  
immediate payment or payment in installments with interest as 2308  
determined by the board not to exceed ten per cent, which 2309

payments may be billed as a separate item with the rents charged 2310  
to that owner for use of the sewers. The board may approve 2311  
installment payments for a period of not more than fifteen 2312  
years. If charges are to be paid in installments, the board 2313  
shall certify to the county auditor information sufficient to 2314  
identify each subject parcel of property, the total of the 2315  
charges to be paid in installments, and the total number of 2316  
installments to be paid. The auditor shall record the 2317  
information in the sewer improvement record until these charges 2318  
are paid in full. Charges not paid when due shall be certified 2319  
to the county auditor, who shall place the charges upon the real 2320  
property tax list and duplicate against that property. Those 2321  
charges shall be a lien on the property from the date they are 2322  
placed on the tax list and duplicate and shall be collected in 2323  
the same manner as other taxes. 2324

(2) A special assessment levied against the property, 2325  
payable in the number of years the board determines, not to 2326  
exceed fifteen years, with interest as determined by the board 2327  
not to exceed ten per cent. The board shall certify the 2328  
assessments to the county auditor, stating the amount and time 2329  
of payment. The auditor shall record the information in the 2330  
county sewer improvement record, showing separately the 2331  
assessments to be collected, and shall place the assessments 2332  
upon the real property tax list and duplicate for collection. 2333  
The assessments shall be a lien on the property from the date 2334  
they are placed on the tax list and duplicate and shall be 2335  
collected in the same manner as other taxes. 2336

(E) The county may adopt a resolution specifying a maximum 2337  
amount of the cost of any disconnection, reconnection, 2338  
relocation, combined sewer overflow prevention, or sewer back-up 2339  
prevention required pursuant to division (A) of this section 2340



that may be paid by the county for each affected parcel of 2341  
property without requiring reimbursement. That amount may be 2342  
allowed only if there is a building code, health code, or other 2343  
relevant code, or a federally imposed or state-imposed consent 2344  
decree that is filed or otherwise recorded in a court of 2345  
competent jurisdiction, applicable to the affected parcel that 2346  
prohibits in the future any inflows, combined sewer overflows, 2347  
or sewer back-ups not allowed under rules adopted pursuant to 2348  
division (A) (1), (4), or (5) of this section. The board, by 2349  
rule, shall establish criteria for determining how much of the 2350  
maximum amount for each qualifying parcel need not be 2351  
reimbursed. 2352

~~(F) Disconnections, reconnections, relocations, combined 2353  
sewer overflow prevention, or sewer back-up prevention required 2354  
under this section and performed by a contractor under contract 2355  
with the property owner shall not be considered a public 2356  
improvement, and those performed by the county shall be 2357  
considered a public improvement as defined in section 4115.03 of 2358  
the Revised Code. 2359~~

Disconnections, reconnections, relocations, combined sewer 2360  
overflow prevention, or sewer back-up prevention required under 2361  
this section performed by a contractor under contract with the 2362  
property owner shall not be subject to competitive bidding or 2363  
public bond laws. 2364

(G) Property owners shall be responsible for maintaining 2365  
any improvements made or facilities constructed on private 2366  
property to reconnect or relocate disconnected inflows, for 2367  
combined sewer overflow prevention, or for sewer back-up 2368  
prevention pursuant to this section unless a public easement or 2369  
other agreement exists for the county to maintain that 2370

improvement or facility. 2371

(H) A board of county commissioners may provide rate 2372  
reductions of and credits against charges for the use of sewers 2373  
to a property owner that implements a project or program that 2374  
prevents storm water from entering a combined sewer and causing 2375  
an overflow. Such a project or program may include the use of a 2376  
prevention or replacement facility to handle storm water that 2377  
has been separated from a combined sewer. The revised rates or 2378  
charges shall be collected and paid to the county treasurer in 2379  
accordance with section 6117.02 of the Revised Code. 2380

**Section 2.** That existing sections 121.083, 123.281, 2381  
164.07, 176.011, 307.022, 307.671, 307.673, 307.674, 307.696, 2382  
351.06, 353.03, 1311.25, 1506.44, 1509.071, 1710.02, 5540.03, 2383  
5747.503, and 6117.012 and sections 176.05, 4115.03, 4115.031, 2384  
4115.033, 4115.034, 4115.04, 4115.05, 4115.06, 4115.07, 2385  
4115.071, 4115.08, 4115.09, 4115.10, 4115.101, 4115.11, 4115.12, 2386  
4115.13, 4115.131, 4115.132, 4115.133, 4115.14, 4115.15, 2387  
4115.16, 4115.21, 4115.99, and 6121.061 of the Revised Code are 2388  
hereby repealed. 2389

**Section 3.** Sections 1 and 2 of this act do not apply to 2390  
contracts governed by the sections being amended and repealed by 2391  
Sections 1 and 2 of this act that are entered into before the 2392  
effective date of this act. 2393

**Section 4.** The amendment by this act of section 5747.503 2394  
of the Revised Code applies on and after the first day of the 2395  
first month beginning on or after the effective date of this 2396  
act. 2397

**Section 5.** That Section 387.10 of Am. Sub. H.B. 49 of the 2398  
132nd General Assembly, as most recently amended by Am. Sub. 2399

S.B. 299 of the 132nd General Assembly, be amended to read as	2400
follows:	2401
<b>Sec. 387.10. RDF STATE REVENUE DISTRIBUTIONS</b>	2402
General Revenue Fund Group	2403
GRF 110908 Property Tax	2404
Reimbursement Local	2405
Government \$ 641,015,200 \$ 645,785,000	2406
GRF 200903 Property Tax	2407
Reimbursement -	2408
Education \$ 1,180,084,800 \$ 1,199,315,000	2409
TOTAL GRF General Revenue Fund Group \$ 1,821,100,000 \$ 1,845,100,000	2410
Revenue Distribution Fund Group	2411
5JG0 110633 Gross Casino Revenue	2412
Payments-County \$ 128,400,000 \$ 126,500,000	2413
5JH0 110634 Gross Casino Revenue	2414
Payments- School	2415
Districts \$ 85,600,000 \$ 84,300,000	2416
5JJ0 110636 Gross Casino Revenue	2417
- Host City \$ 12,500,000 \$ 12,400,000	2418
7047 200902 Property Tax Replacement	2419
Phase Out-Education \$ 207,311,667 \$ 165,229,141	2420
7049 336900 Indigent Drivers	2421
Alcohol Treatment \$ 2,250,000 \$ 2,250,000	2422

7050	762900	International				2423
		Registration Plan				2424
		Distribution	\$ 22,000,000	\$ 22,000,000		2425
7051	762901	Auto Registration				2426
		Distribution	\$ 325,000,000	\$ 325,000,000		2427
7060	110960	Gasoline Excise				2428
		Tax Fund	\$ 375,000,000	\$ 375,000,000		2429
7065	110965	Public Library Fund	\$ 386,300,000	\$ 398,100,000		2430
7066	800966	Undivided Liquor				2431
		Permits	\$ 14,600,000	\$ 14,600,000		2432
7068	110968	State and Local				2433
		Government Highway				2434
		Distributions	\$ 196,000,000	\$ 196,000,000		2435
7069	110969	Local Government Fund	\$ 381,883,750	\$ <del>394,240,000</del>		2436
				<u>419,240,000</u>		2437
7081	110907	Property Tax				2438
		Replacement Phase				2439
		Out-Local Government	\$ 30,844,526	\$ 16,700,147		2440
7082	110982	Horse Racing Tax	\$ 60,000	\$ 60,000		2441
7083	700900	Ohio Fairs Fund	\$ 1,000,000	\$ 1,000,000		2442
7104	110997	Medicaid Local Sales				2443
		Tax Transition Fund	\$ 257,000,000	\$ 30,000,000		2444
TOTAL RDF Revenue Distribution						2445

Fund Group			\$ 2,425,749,943	\$ <del>2,163,379,288</del>	2446
				<u>2,188,379,288</u>	2447
Fiduciary Fund Group					2448
4P80	001698	Cash Management			2449
		Improvement Fund	\$ 3,100,000	\$ 3,100,000	2450
6080	001699	Investment Earnings	\$ 120,000,000	\$ 125,000,000	2451
7001	110996	Horse Racing Tax			2452
		Local Government			2453
		Payments	\$ 240,000	\$ 240,000	2454
7062	110962	Resort Area Excise			2455
		Tax Distribution	\$ 1,200,000	\$ 1,200,000	2456
7063	110963	Permissive Sales			2457
		Tax Distribution	\$ 2,577,800,000	\$ 2,653,900,000	2458
7067	110967	School District Income			2459
		Tax Distribution	\$ 435,200,000	\$ 451,200,000	2460
7085	800985	Volunteer Firemen's			2461
		Dependents Fund	\$ 300,000	\$ 300,000	2462
7093	110640	Next Generation 9-1-1	\$ 1,000,000	\$ 1,000,000	2463
7094	110641	Wireless 9-1-1			2464
		Government Assistance	\$ 25,700,000	\$ 25,700,000	2465
7095	110995	Municipal Income Tax	\$ 8,000,000	\$ 8,000,000	2466
7099	762902	Permissive Tax			2467
		Distribution -			2468

Auto Registration	\$ 180,000,000	\$ 180,000,000	2469
TOTAL FID Fiduciary Fund Group	\$ 3,352,540,000	\$ 3,468,590,000	2470
Holding Account Fund Group			2471
R045 110617 International Fuel			2472
Tax Distribution	\$ 36,100,000	\$ 36,100,000	2473
TOTAL HLD Holding Account Fund Group	\$ 36,100,000	\$ 36,100,000	2474
TOTAL ALL BUDGET FUND GROUPS	\$ 7,635,489,943	\$ <del>7,513,169,288</del>	2475
		<u>7,538,169,288</u>	2476
<b>Section 6.</b> That existing Section 387.10 of Am. Sub. H.B.			2477
49 of the 132nd General Assembly, as most recently amended by			2478
Am. Sub. S.B. 299 of the 132nd General Assembly, is hereby			2479
repealed.			2480