

**As Passed by the House**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Am. S. B. No. 37**

**Senator Hite**

**Cosponsors: Senators Uecker, Thomas, Sykes, Yuko, Williams, Brown, Wilson, Hackett, Bacon, Balderson, Coley, Dolan, Gardner, Hoagland, Huffman, Kunze, LaRose, Manning, O'Brien, Oelslager, Peterson, Schiavoni, Tavares, Terhar Representatives Hambley, Perales, Antonio, Ashford, Barnes, Boggs, Boyd, Brown, Celebrezze, Craig, Cupp, Galonski, Gavarone, Greenspan, Holmes, Howse, Ingram, Kent, Leland, Manning, Miller, O'Brien, Patterson, Ramos, Reece, Rogers, Sheehy, Smith, K., Strahorn, Sweeney, West, Speaker Rosenberger**

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**A BILL**

To enact section 109.804 of the Revised Code and to  
amend Section 243.20 of Am. Sub. H.B. 49 of the  
132nd General Assembly to require the Ohio Peace  
Officer Training Commission to develop and  
conduct a chief of police training course for  
certain newly appointed chiefs of police.

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

**Section 1.** That section 109.804 of the Revised Code be  
enacted to read as follows:

**Sec. 109.804.** (A) The Ohio peace officer training  
commission shall develop and conduct a chief of police training  
course lasting forty hours for newly appointed chiefs of police  
appointed on or after January 1, 2018. The commission shall  
determine the course topics, which shall include diversity  
training with an emphasis on historical perspectives and

community-police relations, and shall establish criteria for 15  
what constitutes successful completion of the course. The 16  
commission shall conduct the course at the Ohio peace officer 17  
training academy and shall offer the course at least 18  
semiannually. 19

(B) A newly appointed chief of police may request an 20  
equivalency exemption from a portion of the forty hours of the 21  
chief of police training course by submitting to the Ohio peace 22  
officer training commission, not more than ten calendar days 23  
following the person's appointment as a chief of police, 24  
evidence of training or qualification in the subject area of the 25  
exempted portion. 26

(C) Upon presentation of evidence by a newly appointed 27  
chief of police that because of a medical disability or other 28  
good cause the newly appointed chief of police is unable to 29  
complete the chief of police training course, the Ohio peace 30  
officer training commission may defer the requirement for the 31  
newly appointed chief of police to complete the chief of police 32  
training course until the disability or cause terminates. 33

(D) A newly appointed chief of police appointed on or 34  
after January 1, 2018, shall attend a chief of police training 35  
course conducted by the Ohio peace officer training commission 36  
pursuant to division (A) of this section not later than six 37  
months after the person's appointment as a chief of police. 38  
While attending the chief of police training course, a newly 39  
appointed chief of police shall receive compensation in the same 40  
manner and amounts as if carrying out the powers and duties of 41  
the office of chief of police. The costs of conducting the chief 42  
of police training course shall be paid from state funds 43  
appropriated to the attorney general. The cost of meals, 44

lodging, and travel of a newly appointed chief of police 45  
attending the chief of police training course shall be paid from 46  
the budget of the entity for which the newly appointed chief of 47  
police was appointed. 48

(E) As used in this section: 49

"Newly appointed chief of police" means a person appointed 50  
chief of police under section 505.49, 737.05, or 737.15 of the 51  
Revised Code or any administrative official that is responsible 52  
for the daily administration and supervision of peace officers 53  
in a law enforcement agency who did not hold the office of chief 54  
of police on the date the person was appointed chief of police. 55

"Law enforcement agency" means a municipal or township 56  
police department, or any other entity authorized by statute to 57  
appoint peace officers to enforce criminal laws and who have the 58  
statutory power of arrest. "Law enforcement agency" does not 59  
include a county sheriff's office, the state highway patrol, or 60  
the bureau of criminal identification and investigation. 61

**Section 2.** That Section 243.20 of Am. Sub. H.B. 49 of the 62  
132nd General Assembly be amended to read as follows: 63

**Sec. 243.20.** UNCLAIMED FUNDS PAYMENTS 64

The foregoing appropriation item 800625, Unclaimed Funds- 65  
Claims, shall be used to pay claims under section 169.08 of the 66  
Revised Code. If it is determined by the Director of Commerce 67  
that additional appropriation amounts are necessary to make such 68  
payments, the Director of Commerce may request that the Director 69  
of Budget and Management increase such amounts. Such amounts are 70  
hereby appropriated. 71

DIVISION OF REAL ESTATE AND PROFESSIONAL LICENSING 72

The foregoing appropriation item 800631, Real Estate Appraiser Recovery, shall be used to pay settlements, judgments, and court orders under section 4763.16 of the Revised Code. If it is determined by the Director of Commerce that additional appropriation amounts are necessary to make such payments, the Director of Commerce may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated.

The foregoing appropriation item 800611, Real Estate Recovery, shall be used to pay settlements, judgments, and court orders under section 4735.12 of the Revised Code. If it is determined by the Director of Commerce that additional appropriation amounts are necessary to make such payments, the Director of Commerce may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated.

~~FIRE MARSHAL~~

~~Of the foregoing appropriation item 800610, Fire Marshal, \$150,000 in fiscal year 2018 shall be used to provide a loan for fire training center equipment to a fire training center that received an appropriation in S.B. 310 of the 131st General Assembly.~~

FIRE DEPARTMENT GRANTS

(A) The foregoing appropriation item 800639, Fire Department Grants, shall be used to make annual grants to the following eligible recipients: volunteer fire departments, fire departments that serve one or more small municipalities or small townships, joint fire districts comprised of fire departments that primarily serve small municipalities or small townships,

local units of government responsible for such fire departments, 102  
and local units of government responsible for the provision of 103  
fire protection services for small municipalities or small 104  
townships. For the purposes of these grants, a private fire 105  
company, as that phrase is defined in section 9.60 of the 106  
Revised Code, that is providing fire protection services under a 107  
contract to a political subdivision of the state, is an 108  
additional eligible recipient for a training grant. 109

Eligible recipients that consist of small municipalities 110  
or small townships that all intend to contract with the same 111  
fire department or private fire company for fire protection 112  
services may jointly apply and be considered for a grant. If a 113  
joint applicant is awarded a grant, the State Fire Marshal 114  
shall, if feasible, proportionately award the grant and any 115  
equipment purchased with grant funds to each of the joint 116  
applicants based upon each applicant's contribution to and 117  
demonstrated need for fire protection services. For the purpose 118  
of this grant program, an eligible recipient or any firefighting 119  
entity that is contracted to serve an eligible recipient may 120  
only file, be listed as joint applicant, or be designated as a 121  
service provider on one grant application per fiscal year. 122

If the grant awarded to joint applicants is an equipment 123  
grant and the equipment to be purchased cannot be readily 124  
distributed or possessed by multiple recipients, each of the 125  
joint applicants shall be awarded by the State Fire Marshal an 126  
ownership interest in the equipment so purchased in proportion 127  
to each applicant's contribution to and demonstrated need for 128  
fire protection services. The joint applicants shall then 129  
mutually agree on how the equipment is to be maintained, 130  
operated, stored, or disposed of. If, for any reason, the joint 131  
applicants cannot agree as to how jointly owned equipment is to 132

be maintained, operated, stored, or disposed of or any of the 133  
joint applicants no longer maintain a contract with the same 134  
fire protection service provider as the other applicants, then 135  
the joint applicants shall, with the assistance of the State 136  
Fire Marshal, mutually agree as to how the jointly owned 137  
equipment is to be maintained, operated, stored, disposed of, or 138  
owned. If the joint applicants cannot agree how the grant 139  
equipment is to be maintained, operated, stored, disposed of, or 140  
owned, the State Fire Marshal may, in its discretion, require 141  
all of the equipment acquired by the joint applicants with grant 142  
funds to be returned to the State Fire Marshal. The State Fire 143  
Marshal may then award the returned equipment to any eligible 144  
recipients. For this paragraph only, an "equipment grant" also 145  
includes a MARCS Grant. 146

(B) Except as otherwise provided in this section, the 147  
grants shall be used by recipients to purchase firefighting or 148  
rescue equipment or gear or similar items, to provide full or 149  
partial reimbursement for the documented costs of firefighter 150  
training, or, at the discretion of the State Fire Marshal, to 151  
cover fire department costs for providing fire protection 152  
services in that grant recipient's jurisdiction. 153

(1) Of the foregoing appropriation item 800639, Fire 154  
Department Grants, up to \$1,000,000 per fiscal year may be used 155  
to pay for the State Fire Marshal's costs of providing 156  
firefighter I certification classes or other firefighter classes 157  
approved by the State Fire Marshal at no cost to selected 158  
students attending the Ohio Fire Academy or other class 159  
providers approved by the State Fire Marshal. The State Fire 160  
Marshal may establish the qualifications and selection processes 161  
for students to attend such classes by written policy, and such 162  
students shall be considered eligible recipients of fire 163

department grants for the purposes of this portion of the grant program. 164  
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(2) Of the foregoing appropriation item 800639, Fire Department Grants, up to \$3,000,000 in each fiscal year may be used for MARCS Grants. MARCS Grants may be used for the payment of user access fees by the eligible recipient to access MARCS. 166  
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For purposes of this section, a MARCS Grant is a grant for systems, equipment, or services that are a part of, integrated into, or otherwise interoperable with the Multi-Agency Radio Communication System (MARCS) operated by the state. 170  
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MARCS Grant awards may be up to \$50,000 in each fiscal year per eligible recipient. Each eligible recipient may only apply, as a separate entity or as a part of a joint application, for one MARCS Grant per fiscal year. The State Fire Marshal may give a preference in the awarding of MARCS Grants to grants that will enhance the overall interoperability and effectiveness of emergency communication networks in the geographic region that includes and that is adjacent to the applicant. Eligible recipients that are or were awarded fire department grants that are not MARCS Grants may also apply for and receive MARCS Grants in accordance with criteria for the awarding of grant funds established by the State Fire Marshal. 174  
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(3) Grant awards for firefighting or rescue equipment or gear or for fire department costs of providing fire protection services shall be up to \$15,000 per fiscal year, or up to \$25,000 per fiscal year if an eligible entity serves a jurisdiction in which the Governor declared a natural disaster during the preceding or current fiscal year in which the grant was awarded. In addition to any grant funds awarded for rescue equipment or gear, or for fire department costs associated with 186  
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the provision of fire protection services, an eligible entity 194  
may receive a grant for up to \$15,000 per fiscal year for full 195  
or partial reimbursement of the documented costs of firefighter 196  
training. For each fiscal year, the State Fire Marshal shall 197  
determine the total amounts to be allocated for each eligible 198  
purpose. 199

(C) The grants shall be administered by the State Fire 200  
Marshal in accordance with rules the State Fire Marshal adopts 201  
as part of the state fire code adopted pursuant to section 202  
3737.82 of the Revised Code that are necessary for the 203  
administration and operation of the grant program. The rules may 204  
further define the entities eligible to receive grants and 205  
establish criteria for the awarding and expenditure of grant 206  
funds, including methods the State Fire Marshal may use to 207  
verify the proper use of grant funds or to obtain reimbursement 208  
for or the return of equipment for improperly used grant funds. 209  
To the extent consistent with this section and until the rules 210  
are updated, the existing rules in the state fire code adopted 211  
pursuant to section 3737.82 of the Revised Code for fire 212  
department grants under this section apply to MARCS Grants. Any 213  
amounts in appropriation item 800639, Fire Department Grants, in 214  
excess of the amount allocated for these grants may be used for 215  
the administration of the grant program. 216

CASH TRANSFERS TO DIVISION OF REAL ESTATE OPERATING FUND 217

Upon the written request of the Director of Commerce, the 218  
Director of Budget and Management may transfer up to \$500,000 in 219  
cash from the Real Estate Recovery Fund (Fund 5480) and up to 220  
\$250,000 in cash from the Real Estate Appraiser Recovery Fund 221  
(Fund 4B20) to the Division of Real Estate Operating Fund (Fund 222  
5490) during the biennium ending June 30, 2019. 223



SMALL GOVERNMENT FIRE DEPARTMENT SERVICES REVOLVING LOAN	224
FUND	225
Upon the written request of the Director of Commerce, the	226
Director of Budget and Management may transfer up to \$300,000 in	227
cash from the State Fire Marshal Fund (Fund 5460) to the Small	228
Government Fire Department Services Revolving Loan Fund (Fund	229
5F10) during the biennium ending June 30, 2019.	230
<u>Of the foregoing appropriation item 800635, Small</u>	231
<u>Government Fire Departments, \$150,000 in fiscal year 2018 shall</u>	232
<u>be used to provide a grant for fire training center equipment to</u>	233
<u>a fire training center that received an appropriation in S.B.</u>	234
<u>310 of the 131st General Assembly.</u>	235
<b>Section 3.</b> That existing Section 243.20 of Am. Sub. H.B.	236
49 of the 132nd General Assembly is hereby repealed.	237