

**As Passed by the Senate\***

**124th General Assembly**

**Regular Session**

**2001-2002**

**Am. Sub. H. B. No. 524**

**REPRESENTATIVES Carey, Faber, Schmidt, Evans, Calvert, Flowers, Latta,  
Coates, Aslanides, Ogg, Redfern, Lendrum**

**SENATOR Carnes**

---

**A B I L L**

To amend sections 105.41, 133.06, 135.18, 135.181, 1  
151.01, 151.09, 151.40, 175.03, 727.01, 3318.03, 2  
3318.04, 3318.05, 3318.06, 3318.061, 3318.08, 3  
3318.084, 3318.11, 3318.36, 3318.362, 3318.363, 4  
3318.38, 3333.17, 3345.05, 5705.19, 5705.218, 5  
5709.081, 5709.82, 5739.01, and 5741.01 and to 6  
enact sections 3311.25, 3318.023, 3318.056, 7  
3318.062, and 3702.5213 of the Revised Code and to 8  
amend Sections 4.03 and 5.04 of Sub. H.B. 73 of the 9  
124th General Assembly, Sections 13, 13.01, 13.05, 10  
13.12, and 69 of Am. Sub. H.B. 94 of the 124th 11  
General Assembly, Sections 32, 45, 56.01, and 63.09 12  
of Am. Sub. H.B. 94 of the 124th General Assembly, 13  
as subsequently amended, and Section 30 of Am. Sub. 14  
H.B. 405 of the 124th General Assembly to modify 15  
conditions for the operation of state programs, to 16  
make certain supplemental and capital 17  
appropriations, and to make capital 18  
reappropriations for the biennium ending June 30, 19  
2004. 20

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

**Section 1.** That sections 105.41, 133.06, 135.18, 135.181, 21  
151.01, 151.09, 151.40, 175.03, 727.01, 3318.03, 3318.04, 3318.05, 22  
3318.06, 3318.061, 3318.08, 3318.084, 3318.11, 3318.36, 3318.362, 23  
3318.363, 3318.38, 3333.17, 3345.05, 5705.19, 5705.218, 5709.081, 24  
5709.82, 5739.01, and 5741.01 be amended and sections 3311.25, 25  
3318.023, 3318.056, 3318.062, and 3702.5213 of the Revised Code be 26  
enacted to read as follows: 27

**Sec. 105.41.** (A) There is hereby created the capitol square 28  
review and advisory board, consisting of ~~nine~~ eleven members as 29  
follows: 30

(1) Two members of the senate, appointed by the president of 31  
the senate, both of whom shall not be members of the same 32  
political party; 33

(2) Two members of the house of representatives, appointed by 34  
the speaker of the house of representatives, both of whom shall 35  
not be members of the same political party; 36

(3) Five members appointed by the governor, with the advice 37  
and consent of the senate, not more than three of whom shall be 38  
members of the same political party, one of whom shall represent 39  
the office of the state architect and engineer, one of whom shall 40  
represent the Ohio arts council, one of whom shall represent the 41  
Ohio historical society, one of whom shall represent the Ohio 42  
building authority, and one of whom shall represent the public at 43  
large; 44

(4) One member, who shall be a former president of the 45  
senate, appointed by the current president of the senate. If the 46  
current president of the senate, in the current president's 47  
discretion, decides for any reason not to make the appointment or 48  
if no person is eligible or available to serve, the seat shall 49  
remain vacant. 50

(5) One member, who shall be a former speaker of the house of representatives, appointed by the current speaker of the house of representatives. If the current speaker of the house of representatives, in the current speaker's discretion, decides for any reason not to make the appointment or if no person is eligible or available to serve, the seat shall remain vacant.

(B) Terms of office of each appointed member of the board shall be for three years, except that members of the general assembly appointed to the board shall be members of the board only so long as they are members of the general assembly. Each member shall hold office from the date of the member's appointment until the end of the term for which the member was appointed. In case of a vacancy occurring on the board, the president of the senate, the speaker of the house of representatives, or the governor, as the case may be, shall in the same manner prescribed for the regular appointment to the commission, fill the vacancy by appointing a member. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of the term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

(C) The board shall hold meetings in a manner and at times prescribed by the rules adopted by the board. A majority of the board constitutes a quorum, and no action shall be taken by the board unless approved by at least five voting members or by at least six voting members if a person is appointed under division (A)(4) or (5) of this section. At its first meeting, the board shall adopt rules for the conduct of its business and the election of its officers, and shall organize by selecting a chairperson and other officers as it considers necessary. Board members shall

serve without compensation but shall be reimbursed for actual and 83  
necessary expenses incurred in the performance of their duties. 84

(D) The board may do any of the following: 85

(1) Employ or hire on a consulting basis professional, 86  
technical, and clerical employees as are necessary for the 87  
performance of its duties; 88

(2) Hold public hearings at times and places as determined by 89  
the board; 90

(3) Adopt, amend, or rescind rules necessary to accomplish 91  
the duties of the board as set forth in this section; 92

(4) Sponsor, conduct, and support such social events as the 93  
board may authorize and consider appropriate for the employees of 94  
the board, employees and members of the general assembly, 95  
employees of persons under contract with the board or otherwise 96  
engaged to perform services on the premises of capitol square, or 97  
other persons as the board may consider appropriate. Subject to 98  
the requirements of Chapter 4303. of the Revised Code, the board 99  
may provide beer, wine, and intoxicating liquor, with or without 100  
charge, for those events and may use funds only from the sale of 101  
goods and services fund to purchase the beer, wine, and 102  
intoxicating liquor the board provides. 103

(E) The board shall do all of the following: 104

(1) Have sole authority to coordinate and approve any 105  
improvements, additions, and renovations that are made to the 106  
capitol square. The improvements shall include, but not be limited 107  
to, the placement of monuments and sculpture on the capitol 108  
grounds. 109

(2) Subject to section 3353.07 of the Revised Code, operate 110  
the capitol square, and have sole authority to regulate all uses 111  
of the capitol square. The uses shall include, but not be limited 112  
to, the casual and recreational use of the capitol square. 113

(3) Employ, fix the compensation of, and prescribe the duties of the executive director of the board and other employees the board considers necessary for the performance of its powers and duties;

(4) Establish and maintain the capitol collection trust. The capitol collection trust shall consist of furniture, antiques, and other items of personal property that the board shall store in suitable facilities until they are ready to be placed in the capitol square.

(5) Perform repair, construction, contracting, purchasing, maintenance, supervisory, and operating activities the board determines are necessary for the operation and maintenance of the capitol square;

(6) Maintain and preserve the capitol square, in accordance with guidelines issued by the United States secretary of the interior for application of the secretary's standards for rehabilitation adopted in 36 C.F.R. part 67.

(F)(1) The board shall lease capital facilities improved or financed by the Ohio building authority pursuant to Chapter 152. of the Revised Code for the use of the board, and may enter into any other agreements with the authority ancillary to improvement, financing, or leasing of those capital facilities, including, but not limited to, any agreement required by the applicable bond proceedings authorized by Chapter 152. of the Revised Code. Any lease of capital facilities authorized by this section shall be governed by division (D) of section 152.24 of the Revised Code.

(2) Fees, receipts, and revenues received by the board from the state underground parking garage constitute available receipts as defined in section 152.09 of the Revised Code, and may be pledged to the payment of bond service charges on obligations issued by the Ohio building authority pursuant to Chapter 152. of

the Revised Code to improve or finance capital facilities useful  
to the board. The authority may, with the consent of the board,  
provide in the bond proceedings for a pledge of all or a portion  
of those fees, receipts, and revenues as the authority determines.  
The authority may provide in the bond proceedings or by separate  
agreement with the board for the transfer of those fees, receipts,  
and revenues to the appropriate bond service fund or bond service  
reserve fund as required to pay the bond service charges when due,  
and any such provision for the transfer of those fees, receipts,  
and revenues shall be controlling notwithstanding any other  
provision of law pertaining to those fees, receipts, and revenues.

(3) All moneys received by the treasurer of state on account  
of the board and required by the applicable bond proceedings or by  
separate agreement with the board to be deposited, transferred, or  
credited to the bond service fund or bond service reserve fund  
established by the bond proceedings shall be transferred by the  
treasurer of state to such fund, whether or not it is in the  
custody of the treasurer of state, without necessity for further  
appropriation, upon receipt of notice from the Ohio building  
authority as prescribed in the bond proceedings.

(G) All fees, receipts, and revenues received by the board  
from the state underground parking garage shall be deposited into  
the state treasury to the credit of the underground parking garage  
operating fund, which is hereby created, to be used for the  
purposes specified in division (F) of this section and for the  
operation and maintenance of the garage. All investment earnings  
of the fund shall be credited to the fund.

(H) All donations received by the board shall be deposited  
into the state treasury to the credit of the capitol square  
renovation gift fund, which is hereby created. The fund shall be  
used by the board as follows:

(1) To provide part or all of the funding related to 177  
construction, goods, or services for the renovation of the capitol 178  
square; 179

(2) To purchase art, antiques, and artifacts for display at 180  
the capitol square; 181

(3) To award contracts or make grants to organizations for 182  
educating the public regarding the historical background and 183  
governmental functions of the capitol square. Chapters 125., 127., 184  
and 153. and section 3517.13 of the Revised Code do not apply to 185  
purchases made exclusively from the fund, notwithstanding anything 186  
to the contrary in those chapters or that section. All investment 187  
earnings of the fund shall be credited to the fund. 188

(I) Except as provided in divisions (G), (H), and (J) of this 189  
section, all fees, receipts, and revenues received by the board 190  
shall be deposited into the state treasury to the credit of the 191  
sale of goods and services fund, which is hereby created. Money 192  
credited to the fund shall be used solely to pay costs of the 193  
board other than those specified in divisions (F) and (G) of this 194  
section. All investment earnings of the fund shall be credited to 195  
the fund. 196

(J) There is hereby created in the state treasury the capitol 197  
square improvement fund, to be used by the board to pay 198  
construction, renovation, and other costs related to the capitol 199  
square for which money is not otherwise available to the board. 200  
Whenever the board determines that there is a need to incur those 201  
costs and that the unencumbered, unobligated balance to the credit 202  
of the underground parking garage operating fund exceeds the 203  
amount needed for the purposes specified in division (F) of this 204  
section and for the operation and maintenance of the garage, the 205  
board may request the director of budget and management to 206  
transfer from the underground parking garage operating fund to the 207  
capitol square improvement fund the amount needed to pay such 208

construction, renovation, or other costs. The director then shall 209  
transfer the amount needed from the excess balance of the 210  
underground parking garage operating fund. 211

(K) As the operation and maintenance of the capitol square 212  
constitute essential government functions of a public purpose, the 213  
board shall not be required to pay taxes or assessments upon the 214  
square, upon any property acquired or used by the board under this 215  
section, or upon any income generated by the operation of the 216  
square. 217

(L) As used in this section, "capitol square" means the 218  
capitol building, senate building, capitol atrium, capitol 219  
grounds, and the state underground parking garage. 220

(M) The capitol annex shall be known as the senate building. 221

**Sec. 133.06.** (A) A school district shall not incur, without a 222  
vote of the electors, net indebtedness that exceeds an amount 223  
equal to one-tenth of one per cent of its tax valuation, except as 224  
provided in divisions (G) and (H) of this section and in division 225  
(C) of section 3313.372 of the Revised Code, or as prescribed in 226  
section 3318.052 of the Revised Code, or as provided in division 227  
(J) of this section. 228

(B) Except as provided in divisions (E), (F), and (I) of this 229  
section, a school district shall not incur net indebtedness that 230  
exceeds an amount equal to nine per cent of its tax valuation. 231  
232

(C) A school district shall not submit to a vote of the 233  
electors the question of the issuance of securities in an amount 234  
that will make the district's net indebtedness after the issuance 235  
of the securities exceed an amount equal to four per cent of its 236  
tax valuation, unless the superintendent of public instruction, 237  
acting under policies adopted by the state board of education, and 238

the tax commissioner, acting under written policies of the  
commissioner, consent to the submission. A request for the  
consents shall be made at least thirty days prior to the election  
at which the question is to be submitted, except that the  
superintendent of public instruction and the tax commissioner may  
waive this thirty-day deadline or grant their consents after the  
election if the school district shows good cause for such waiver  
or consent after the election.

(D) In calculating the net indebtedness of a school district,  
none of the following shall be considered:

(1) Securities issued to acquire school buses and other  
equipment used in transporting pupils or issued pursuant to  
division (D) of section 133.10 of the Revised Code;

(2) Securities issued under division (F) of this section,  
under section 133.301 of the Revised Code, and, to the extent in  
excess of the limitation stated in division (B) of this section,  
under division (E) of this section;

(3) Indebtedness resulting from the dissolution of a joint  
vocational school district under section 3311.217 of the Revised  
Code, evidenced by outstanding securities of that joint vocational  
school district;

(4) Loans, evidenced by any securities, received under  
sections 3313.483, 3317.0210, 3317.0211, and 3317.64 of the  
Revised Code;

(5) Debt incurred under section 3313.374 of the Revised Code;

(6) Debt incurred pursuant to division (B)(5) of section  
3313.37 of the Revised Code to acquire computers and related  
hardware;

(7) Debt incurred under section ~~3318.041~~ 3318.042 of the

Revised Code.	269
(E) A school district may become a special needs district as to certain securities as provided in division (E) of this section.	270 271
(1) A board of education, by resolution, may declare its school district to be a special needs district by determining both of the following:	272 273 274
(a) The student population is not being adequately serviced by the existing permanent improvements of the district.	275 276
(b) The district cannot obtain sufficient funds by the issuance of securities within the limitation of division (B) of this section to provide additional or improved needed permanent improvements in time to meet the needs.	277 278 279 280
(2) The board of education shall certify a copy of that resolution to the superintendent of public instruction with a statistical report showing all of the following:	281 282 283
(a) A history of and a projection of the growth of the student population;	284 285
(b) The history of and a projection of the growth of the tax valuation;	286 287
(c) The projected needs;	288
(d) The estimated cost of permanent improvements proposed to meet such projected needs.	289 290
(3) The superintendent of public instruction shall certify the district as an approved special needs district if the superintendent finds both of the following:	291 292 293
(a) The district does not have available sufficient additional funds from state or federal sources to meet the projected needs.	294 295 296
(b) The projection of the potential average growth of tax	297

valuation during the next five years, according to the information 298  
certified to the superintendent and any other information the 299  
superintendent obtains, indicates a likelihood of potential 300  
average growth of tax valuation of the district during the next 301  
five years of an average of not less than three per cent per year. 302  
The findings and certification of the superintendent shall be 303  
conclusive. 304

(4) An approved special needs district may incur net 305  
indebtedness by the issuance of securities in accordance with the 306  
provisions of this chapter in an amount that does not exceed an 307  
amount equal to the greater of the following: 308

(a) Nine per cent of the sum of its tax valuation plus an 309  
amount that is the product of multiplying that tax valuation by 310  
the percentage by which the tax valuation has increased over the 311  
tax valuation on the first day of the sixtieth month preceding the 312  
month in which its board determines to submit to the electors the 313  
question of issuing the proposed securities; 314

(b) Nine per cent of the sum of its tax valuation plus an 315  
amount that is the product of multiplying that tax valuation by 316  
the percentage, determined by the superintendent of public 317  
instruction, by which that tax valuation is projected to increase 318  
during the next ten years. 319

(F) A school district may issue securities for emergency 320  
purposes, in a principal amount that does not exceed an amount 321  
equal to three per cent of its tax valuation, as provided in this 322  
division. 323

(1) A board of education, by resolution, may declare an 324  
emergency if it determines both of the following: 325

(a) School buildings or other necessary school facilities in 326  
the district have been wholly or partially destroyed, or condemned 327  
by a constituted public authority, or that such buildings or 328

facilities are partially constructed, or so constructed or planned 329  
as to require additions and improvements to them before the 330  
buildings or facilities are usable for their intended purpose, or 331  
that corrections to permanent improvements are necessary to remove 332  
or prevent health or safety hazards. 333

(b) Existing fiscal and net indebtedness limitations make 334  
adequate replacement, additions, or improvements impossible. 335

(2) Upon the declaration of an emergency, the board of 336  
education may, by resolution, submit to the electors of the 337  
district pursuant to section 133.18 of the Revised Code the 338  
question of issuing securities for the purpose of paying the cost, 339  
in excess of any insurance or condemnation proceeds received by 340  
the district, of permanent improvements to respond to the 341  
emergency need. 342

(3) The procedures for the election shall be as provided in 343  
section 133.18 of the Revised Code, except that: 344

(a) The form of the ballot shall describe the emergency 345  
existing, refer to this division as the authority under which the 346  
emergency is declared, and state that the amount of the proposed 347  
securities exceeds the limitations prescribed by division (B) of 348  
this section; 349

(b) The resolution required by division (B) of section 133.18 350  
of the Revised Code shall be certified to the county auditor and 351  
the board of elections at least seventy-five days prior to the 352  
election; 353

(c) The county auditor shall advise and, not later than 354  
sixty-five days before the election, confirm that advice by 355  
certification to, the board of education of the information 356  
required by division (C) of section 133.18 of the Revised Code; 357

(d) The board of education shall then certify its resolution 358  
and the information required by division (D) of section 133.18 of 359

the Revised Code to the board of elections not less than sixty  
days prior to the election.

360  
361

(4) Notwithstanding division (B) of section 133.21 of the  
Revised Code, the first principal payment of securities issued  
under this division may be set at any date not later than sixty  
months after the earliest possible principal payment otherwise  
provided for in that division.

362  
363  
364  
365  
366

(G) The board of education may contract with an architect,  
professional engineer, or other person experienced in the design  
and implementation of energy conservation measures for an analysis  
and recommendations pertaining to installations, modifications of  
installations, or remodeling that would significantly reduce  
energy consumption in buildings owned by the district. The report  
shall include estimates of all costs of such installations,  
modifications, or remodeling, including costs of design,  
engineering, installation, maintenance, repairs, and debt service,  
and estimates of the amounts by which energy consumption and  
resultant operational and maintenance costs, as defined by the  
Ohio school facilities commission, would be reduced.

367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378

If the board finds after receiving the report that the amount  
of money the district would spend on such installations,  
modifications, or remodeling is not likely to exceed the amount of  
money it would save in energy and resultant operational and  
maintenance costs over the ensuing fifteen years, the board may  
submit to the commission a copy of its findings and a request for  
approval to incur indebtedness to finance the making or  
modification of installations or the remodeling of buildings for  
the purpose of significantly reducing energy consumption.

379  
380  
381  
382  
383  
384  
385  
386  
387

If the commission determines that the board's findings are  
reasonable, it shall approve the board's request. Upon receipt of  
the commission's approval, the district may issue securities  
without a vote of the electors in a principal amount not to exceed

388  
389  
390  
391

nine-tenths of one per cent of its tax valuation for the purpose 392  
of making such installations, modifications, or remodeling, but 393  
the total net indebtedness of the district without a vote of the 394  
electors incurred under this and all other sections of the Revised 395  
Code shall not exceed one per cent of the district's tax 396  
valuation. 397

So long as any securities issued under division (G) of this 398  
section remain outstanding, the board of education shall monitor 399  
the energy consumption and resultant operational and maintenance 400  
costs of buildings in which installations or modifications have 401  
been made or remodeling has been done pursuant to division (G) of 402  
this section and shall maintain and annually update a report 403  
documenting the reductions in energy consumption and resultant 404  
operational and maintenance cost savings attributable to such 405  
installations, modifications, or remodeling. The report shall be 406  
certified by an architect or engineer independent of any person 407  
that provided goods or services to the board in connection with 408  
the energy conservation measures that are the subject of the 409  
report. The resultant operational and maintenance cost savings 410  
shall be certified by the school district treasurer. The report 411  
shall be made available to the commission upon request. 412

(H) With the consent of the superintendent of public 413  
instruction, a school district may incur without a vote of the 414  
electors net indebtedness that exceeds the amounts stated in 415  
divisions (A) and (G) of this section for the purpose of paying 416  
costs of permanent improvements, if and to the extent that both of 417  
the following conditions are satisfied: 418

(1) The fiscal officer of the school district estimates that 419  
receipts of the school district from payments made under or 420  
pursuant to agreements entered into pursuant to section 725.02, 421  
1728.10, 3735.671, 5709.081, 5709.082, 5709.40, 5709.41, 5709.62, 422  
5709.63, 5709.632, 5709.73, 5709.78, or 5709.82 of the Revised 423

Code, or distributions under division (C) of section 5709.43 of  
the Revised Code, or any combination thereof, are, after  
accounting for any appropriate coverage requirements, sufficient  
in time and amount, and are committed by the proceedings, to pay  
the debt charges on the securities issued to evidence that  
indebtedness and payable from those receipts, and the taxing  
authority of the district confirms the fiscal officer's estimate,  
which confirmation is approved by the superintendent of public  
instruction;

(2) The fiscal officer of the school district certifies, and  
the taxing authority of the district confirms, that the district,  
at the time of the certification and confirmation, reasonably  
expects to have sufficient revenue available for the purpose of  
operating such permanent improvements for their intended purpose  
upon acquisition or completion thereof, and the superintendent of  
public instruction approves the taxing authority's confirmation.

The maximum maturity of securities issued under division (H)  
of this section shall be the lesser of twenty years or the maximum  
maturity calculated under section 133.20 of the Revised Code.

(I) A school district may incur net indebtedness by the  
issuance of securities in accordance with the provisions of this  
chapter in excess of the limit specified in division (B) or (C) of  
this section when necessary to raise the school district portion  
of the basic project cost pursuant to Chapter 3318. of the Revised  
Code. The school facilities commission shall notify the  
superintendent of public instruction whenever a school district  
will exceed ~~the nine per cent~~ either limit pursuant to this  
division.

(J) A school district whose portion of the basic project cost  
of its classroom facilities project under sections 3318.01 to  
3318.20 of the Revised Code is greater than or equal to one  
hundred million dollars may incur without a vote of the electors

424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455

net indebtedness in an amount up to two per cent of its tax 456  
valuation through the issuance of general obligation securities in 457  
order to generate all or part of the amount of its portion of the 458  
basic project cost if the controlling board has approved the 459  
school facilities commission's conditional approval of the project 460  
under section 3318.04 of the Revised Code. The school district 461  
board and the Ohio school facilities commission shall include the 462  
dedication of the proceeds of such securities in the agreement 463  
entered into under section 3318.08 of the Revised Code. No state 464  
moneys shall be released for a project to which this section 465  
applies until the proceeds of any bonds issued under this section 466  
that are dedicated for the payment of the school district portion 467  
of the project are first deposited into the school district's 468  
project construction fund. 469

**Sec. 135.18.** (A) The treasurer, before making the initial 470  
deposit in a public depository pursuant to an award made under 471  
sections 135.01 to 135.21 of the Revised Code, shall require the 472  
institution designated as a public depository to pledge to and 473  
deposit with the treasurer, as security for the repayment of all 474  
public moneys to be deposited in the public depository during the 475  
period of designation pursuant to the award, eligible securities 476  
of aggregate market value equal to the excess of the amount of 477  
public moneys to be at the time so deposited, over and above such 478  
portion or amount of such moneys as is at such time insured by the 479  
federal deposit insurance corporation or by any other agency or 480  
instrumentality of the federal government. In the case of any 481  
deposit other than the initial deposit made during the period of 482  
designation, the amount of the aggregate market value of 483  
securities required to be pledged and deposited shall be equal to 484  
the difference between the amount of public moneys on deposit in 485  
such public depository plus the amount to be so deposited, minus 486  
the portion or amount of the aggregate as is at the time insured 487

as provided in this section. The treasurer may require additional 488  
eligible securities to be deposited to provide for any 489  
depreciation which may occur in the market value of any of the 490  
securities so deposited. 491

(B) The following securities shall be eligible for the 492  
purposes of this section: 493

(1) Bonds, notes, or other obligations of the United States; 494  
or bonds, notes, or other obligations guaranteed as to principal 495  
and interest by the United States or those for which the faith of 496  
the United States is pledged for the payment of principal and 497  
interest thereon, by language appearing in the instrument 498  
specifically providing such guarantee or pledge and not merely by 499  
interpretation or otherwise; 500

(2) Bonds, notes, debentures, letters of credit, or other 501  
obligations or securities issued by any federal government agency 502  
or instrumentality, or the export-import bank of Washington; 503  
bonds, notes, or other obligations guaranteed as to principal and 504  
interest by the United States or those for which the faith of the 505  
United States is pledged for the payment of principal and interest 506  
thereon, by interpretation or otherwise and not by language 507  
appearing in the instrument specifically providing such guarantee 508  
or pledge; 509

(3) Obligations of or fully insured or fully guaranteed by 510  
the United States or any federal government agency or 511  
instrumentality; 512

(4) Obligations partially insured or partially guaranteed by 513  
any federal agency or instrumentality; 514

(5) Obligations of or fully guaranteed by the federal 515  
national mortgage association, federal home loan mortgage 516  
corporation, federal farm credit bank, or student loan marketing 517  
association; 518

(6) Bonds and other obligations of this state;	519
(7) Bonds and other obligations of any county, township, school district, municipal corporation, or other legally constituted taxing subdivision of this state, which is not at the time of such deposit, in default in the payment of principal or interest on any of its bonds or other obligations, for which the full faith and credit of the issuing subdivision is pledged;	520 521 522 523 524 525
(8) Bonds of other states of the United States which have not during the ten years immediately preceding the time of such deposit defaulted in payments of either interest or principal on any of their bonds;	526 527 528 529
(9) Shares of no-load money market mutual funds consisting exclusively of obligations described in division (B)(1) or (2) of this section and repurchase agreements secured by such obligations;	530 531 532 533
(10) A surety bond issued by a corporate surety licensed by the state and authorized to issue surety bonds in this state pursuant to Chapter 3929. of the Revised Code, and qualified to provide surety bonds to the federal government pursuant to 96 Stat. 1047 (1982), 31 U.S.C.A. 9304.	534 535 536 537 538
(C) If the public depository fails to pay over any part of the public deposit made therein as provided by law, the treasurer shall sell at public sale any of the bonds or other securities deposited with the treasurer pursuant to this section or section 131.09 of the Revised Code, or shall draw on any letter of credit to the extent of such failure to pay. Thirty days' notice of such sale shall be given in a newspaper of general circulation at Columbus, in the case of the treasurer of state, and at the county seat of the county in which the office of the treasurer is located, in the case of any other treasurer. When a sale of bonds or other securities has been so made and upon payment to the	539 540 541 542 543 544 545 546 547 548 549

treasurer of the purchase money, the treasurer shall transfer such  
bonds or securities whereupon the absolute ownership of such bonds  
or securities shall pass to the purchasers. Any surplus remaining  
after deducting the amount due the state or subdivision and  
expenses of sale shall be paid to the public depository.

550  
551  
552  
553  
554

(D) An institution designated as a public depository may, by  
written notice to the treasurer, designate a qualified trustee and  
deposit the eligible securities required by this section with the  
trustee for safekeeping for the account of the treasurer and the  
institution as a public depository, as their respective rights to  
and interests in such securities under this section may appear and  
be asserted by written notice to or demand upon the trustee. In  
such case, the treasurer shall accept the written receipt of the  
trustee describing the securities which have been deposited with  
the trustee by the public depository, a copy of which shall also  
be delivered to the public depository. Thereupon all such  
securities so deposited with the trustee are deemed to be pledged  
with the treasurer and to be deposited with the treasurer, for all  
the purposes of this section.

555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568

(E) The governing board may make provisions for the exchange  
and release of securities and the substitution of other eligible  
securities therefor except where the public depository has  
deposited eligible securities with a trustee for safekeeping as  
provided in this section.

569  
570  
571  
572  
573

(F) When the public depository has deposited eligible  
securities described in division (B)(1) of this section with a  
trustee for safekeeping, the public depository may at any time  
substitute or exchange eligible securities described in division  
(B)(1) of this section having a current market value equal to or  
greater than the current market value of the securities then on  
deposit and for which they are to be substituted or exchanged,  
without specific authorization from any governing board, boards,

574  
575  
576  
577  
578  
579  
580  
581

or treasurer of any such substitution or exchange.

582

(G) When the public depository has deposited eligible securities described in divisions (B)(2) to (9) of this section with a trustee for safekeeping, the public depository may at any time substitute or exchange eligible securities having a current market value equal to or greater than the current market value of the securities then on deposit and for which they are to be substituted or exchanged without specific authorization of any governing board, boards, or treasurer of any such substitution or exchange only if:

583

584

585

586

587

588

589

590

591

(1) The treasurer has authorized the public depository to make such substitution or exchange on a continuing basis during a specified period without prior approval of each substitution or exchange. Such authorization may be effected by the treasurer sending to the trustee a written notice stating that substitution may be effected on a continuing basis during a specified period which shall not extend beyond the end of the period of designation during which the notice is given. The trustee may rely upon such notice and upon the period of authorization stated therein and upon the period of designation stated therein.

592

593

594

595

596

597

598

599

600

601

(2) No continuing authorization for substitution has been given by the treasurer, the public depository notifies the treasurer and the trustee of an intended substitution or exchange, and the treasurer fails to object to the trustee as to the eligibility or market value of the securities being substituted within ten calendar days after the date appearing on the notice of proposed substitution. The notice to the treasurer and to the trustee shall be given in writing and delivered personally or by certified or registered mail with a return receipt requested. The trustee may assume in any case that the notice has been delivered to the treasurer. In order for objections of the treasurer to be effective, receipt of the objections must be acknowledged in

602

603

604

605

606

607

608

609

610

611

612

613

writing by the trustee. 614

(3) The treasurer gives written authorization for a 615  
substitution or exchange of specific securities. 616

(H) The public depository shall notify any governing board, 617  
boards, or treasurer of any substitution or exchange under 618  
division (G)(1) or (2) of this section. Upon request from the 619  
treasurer, the trustee shall furnish a statement of the securities 620  
pledged against such public deposits. 621

(I) Any federal reserve bank or branch thereof located in 622  
this state or federal home loan bank, without compliance with 623  
Chapter 1111. of the Revised Code and without becoming subject to 624  
any other law of this state relative to the exercise by 625  
corporations of trust powers generally, is qualified to act as 626  
trustee for the safekeeping of securities, under this section. Any 627  
institution mentioned in section 135.03 of the Revised Code that 628  
holds a certificate of qualification issued by the superintendent 629  
of financial institutions or any institution complying with 630  
sections 1111.04, 1111.05, and 1111.06 of the Revised Code, is 631  
qualified to act as trustee for the safekeeping of securities, 632  
other than those belonging to itself, under this section. Upon 633  
application to the superintendent in writing by any such 634  
institution, the superintendent shall investigate the applicant 635  
and ascertain whether or not it has been authorized to execute and 636  
accept trusts in this state and has safe and adequate vaults and 637  
efficient supervision thereof for the storage and safekeeping 638  
within this state of such securities. If the superintendent finds 639  
that the applicant has been so authorized and does have such 640  
vaults and supervision thereof, the superintendent shall approve 641  
the application and issue a certificate to that effect, the 642  
original or any certified copy of which shall be conclusive 643  
evidence that the institution therein named is qualified to act as 644  
trustee for the purposes of this section with respect to 645

securities other than those belonging to itself. 646

Notwithstanding the fact that a public depository is required 647  
to pledge eligible securities in certain amounts to secure 648  
deposits of public moneys, a trustee shall have no duty or 649  
obligation to determine the eligibility, market value, or face 650  
value of any securities deposited with the trustee by a public 651  
depository. This applies in all situations including, without 652  
limitation, a substitution or exchange of securities. 653

Any charges or compensation of a designated trustee for 654  
acting as such under this section shall be paid by the public 655  
depository and in no event shall be chargeable to the state or the 656  
subdivision or to the treasurer or to any officer of the state or 657  
subdivision. The charges or compensation shall not be a lien or 658  
charge upon the securities deposited for safekeeping prior or 659  
superior to the rights to and interests in such securities of the 660  
state or the subdivision or of the treasurer. The treasurer and 661  
the treasurer's bonders or surety shall be relieved from any 662  
liability to the state or the subdivision or to the public 663  
depository for the loss or destruction of any securities deposited 664  
with a qualified trustee pursuant to this section. 665

**Sec. 135.181.** (A) As used in this section: 666

(1) "Public depository" means that term as defined in section 667  
135.01 of the Revised Code, but also means an institution which 668  
receives or holds any public deposits as defined in section 135.31 669  
of the Revised Code. 670

(2) "Public deposits," "public moneys," and "treasurer" mean 671  
those terms as defined in section 135.01 of the Revised Code, but 672  
also have the same meanings as are set forth in section 135.31 of 673  
the Revised Code. 674

(3) "Subdivision" means that term as defined in section 675  
135.01 of the Revised Code, but also includes a county. 676

(B) In lieu of the pledging requirements prescribed in 677  
sections 135.18 and 135.37 of the Revised Code, an institution 678  
designated as a public depository at its option may pledge a 679  
single pool of eligible securities to secure the repayment of all 680  
public moneys deposited in the institution and not otherwise 681  
secured pursuant to law, provided that at all times the total 682  
market value of the securities so pledged is at least equal to one 683  
hundred five per cent of the total amount of all public deposits 684  
to be secured by the pooled securities, including the portion of 685  
such deposits covered by any federal deposit insurance. Each such 686  
institution shall carry in its accounting records at all times a 687  
general ledger or other appropriate account of the total amount of 688  
all public deposits to be secured by the pool, as determined at 689  
the opening of business each day, and the total market value of 690  
securities pledged to secure such deposits. 691

(C) The securities described in division (B) of section 692  
135.18 of the Revised Code shall be eligible as collateral for the 693  
purposes of division (B) of this section, provided no such 694  
securities pledged as collateral are at any time in default as to 695  
either principal or interest. 696

(D) The state and each subdivision shall have an undivided 697  
security interest in the pool of securities pledged by a public 698  
depository pursuant to division (B) of this section in the 699  
proportion that the total amount of the state's or subdivision's 700  
public moneys secured by the pool bears to the total amount of 701  
public deposits so secured. 702

(E) An institution designated as a public depository shall 703  
designate a qualified trustee and deposit with the trustee for 704  
safekeeping the eligible securities pledged pursuant to division 705  
(B) of this section. The institution shall give written notice of 706  
the qualified trustee to any treasurer or treasurers depositing 707  
public moneys for which such securities are pledged. The treasurer 708

shall accept the written receipt of the trustee describing the  
pool of securities so deposited by the depository, a copy of which  
also shall be delivered to the depository.

(F) Any federal reserve bank or branch thereof located in  
this state or federal home loan bank, without compliance with  
Chapter 1111. of the Revised Code and without becoming subject to  
any other law of this state relative to the exercise by  
corporations of trust powers generally, is qualified to act as  
trustee for the safekeeping of securities, under this section. Any  
institution mentioned in section 135.03 or 135.32 of the Revised  
Code which holds a certificate of qualification issued by the  
superintendent of financial institutions or any institution  
complying with sections 1111.04, 1111.05, and 1111.06 of the  
Revised Code is qualified to act as trustee for the safekeeping of  
securities under this section, other than those belonging to  
itself or to an affiliate as defined in division (A) of section  
1101.01 of the Revised Code. Upon application to the  
superintendent in writing by any such institution, the  
superintendent shall investigate the applicant and ascertain  
whether or not it has been authorized to execute and accept trusts  
in this state and has safe and adequate vaults and efficient  
supervision thereof for the storage and safekeeping of such  
securities. If the superintendent finds that the applicant has  
been so authorized and does have such vaults and supervision  
thereof, the superintendent shall approve the application and  
issue a certificate to that effect, the original or any certified  
copy of which shall be conclusive evidence that the institution  
named therein is qualified to act as trustee for the purposes of  
this section with respect to securities other than those belonging  
to itself or to an affiliate.

(G) The public depository at any time may substitute,  
exchange, or release eligible securities deposited with a

qualified trustee pursuant to this section, provided that such  
substitution, exchange, or release does not reduce the total  
market value of the securities to an amount that is less than one  
hundred five per cent of the total amount of public deposits as  
determined pursuant to division (B) of this section.

741  
742  
743  
744  
745

(H) Notwithstanding the fact that a public depository is  
required to pledge eligible securities in certain amounts to  
secure deposits of public moneys, a trustee shall have no duty or  
obligation to determine the eligibility, market value, or face  
value of any securities deposited with the trustee by a public  
depository. This applies in all situations including, but not  
limited to, a substitution or exchange of securities, but  
excluding those situations effectuated by division (I) of this  
section in which the trustee is required to determine face and  
market value.

746  
747  
748  
749  
750  
751  
752  
753  
754  
755

(I) If the public depository fails to pay over any part of  
the public deposits made therein as provided by law and secured  
pursuant to division (B) of this section, the treasurer shall give  
written notice of this failure to the qualified trustee holding  
the pool of securities pledged against public moneys deposited in  
the depository, and at the same time shall send a copy of this  
notice to the depository. Upon receipt of such notice, the trustee  
shall transfer to the treasurer for public sale such of the pooled  
securities as may be necessary to produce an amount equal to the  
deposits made by the treasurer and not paid over, less the portion  
of such deposits covered by any federal deposit insurance, plus  
any accrued interest due on such deposits; however, the amount  
shall not exceed the state's or subdivision's proportional  
security interest in the market value of the pool as of the date  
of the depository's failure to pay over the deposits, as such  
interest and value are determined by the trustee. The treasurer  
shall sell at public sale any of the bonds or other securities so

756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772

transferred. Thirty days' notice of such sale shall be given in a newspaper of general circulation at Columbus, in the case of the treasurer of state, and at the county seat of the county in which the office of the treasurer is located, in the case of any other treasurer. When a sale of bonds or other securities has been so made and upon payment to the treasurer of the purchase money, the treasurer shall transfer such bonds or securities whereupon the absolute ownership of such bonds or securities shall pass to the purchasers. Any surplus after deducting the amount due the state or subdivision and expenses of sale shall be paid to the public depository.

(J) Any charges or compensation of a designated trustee for acting as such under this section shall be paid by the public depository and in no event shall be chargeable to the state or subdivision or to the treasurer or to any officer of the state or subdivision. The charges or compensation shall not be a lien or charge upon the securities deposited for safekeeping prior or superior to the rights to and interests in such securities of the state or subdivision or of the treasurer. The treasurer and the treasurer's bonders or surety shall be relieved from any liability to the state or subdivision or to the public depository for the loss or destruction of any securities deposited with a qualified trustee pursuant to this section.

(K) In lieu of placing its unqualified endorsement on each security, a public depository pledging securities pursuant to division (B) of this section that are not negotiable without its endorsement or assignment may furnish to the qualified trustee holding the securities an appropriate resolution and irrevocable power of attorney authorizing the trustee to assign the securities. The resolution and power of attorney shall conform to such terms and conditions as the trustee prescribes.

(L) Upon request of a treasurer no more often than four times

per year, a public depository shall report the amount of public  
moneys deposited by the treasurer and secured pursuant to division  
(B) of this section, and the total market value of the pool of  
securities pledged to secure public moneys held by the depository,  
including those deposited by the treasurer. Upon request of a  
treasurer no more often than four times per year, a qualified  
trustee shall report the total market value of the pool of  
securities deposited with it by the depository and shall provide  
an itemized list of the securities in the pool. These reports  
shall be made as of the date the treasurer specifies.

**Sec. 151.01.** (A) As used in sections 151.01 to 151.09 and  
151.40 of the Revised Code and in the applicable bond proceedings  
unless otherwise provided:

(1) "Bond proceedings" means the resolutions, orders,  
agreements, and credit enhancement facilities, and amendments and  
supplements to them, or any one or more or combination of them,  
authorizing, awarding, or providing for the terms and conditions  
applicable to or providing for the security or liquidity of, the  
particular obligations, and the provisions contained in those  
obligations.

(2) "Bond service fund" means the respective bond service  
fund created by section 151.03, 151.04, 151.05, 151.06, 151.07,  
151.08, 151.09, or 151.40 of the Revised Code, and any accounts in  
that fund, including all moneys and investments, and earnings from  
investments, credited and to be credited to that fund and accounts  
as and to the extent provided in the applicable bond proceedings.

(3) "Capital facilities" means capital facilities or projects  
as referred to in section 151.03, 151.04, 151.05, 151.06, 151.07,  
151.08, 151.09, or 151.40 of the Revised Code.

(4) "Costs of capital facilities" means the costs of  
acquiring, constructing, reconstructing, rehabilitating,

remodeling, renovating, enlarging, improving, equipping, or 836  
furnishing capital facilities, and of the financing of those 837  
costs. "Costs of capital facilities" includes, without limitation, 838  
and in addition to costs referred to in section 151.03, 151.04, 839  
151.05, 151.06, 151.07, 151.08, 151.09, or 151.40 of the Revised 840  
Code, the cost of clearance and preparation of the site and of any 841  
land to be used in connection with capital facilities, the cost of 842  
any indemnity and surety bonds and premiums on insurance, all 843  
related direct administrative expenses and allocable portions of 844  
direct costs of the issuing authority, costs of engineering and 845  
architectural services, designs, plans, specifications, surveys, 846  
and estimates of cost, financing costs, interest on obligations 847  
from their date to the time when interest is to be paid from 848  
sources other than proceeds of obligations, amounts necessary to 849  
establish any reserves as required by the bond proceedings, the 850  
reimbursement of all moneys advanced or applied by or borrowed 851  
from any person or governmental agency or entity for the payment 852  
of any item of costs of capital facilities, and all other expenses 853  
necessary or incident to planning or determining feasibility or 854  
practicability with respect to capital facilities, and such other 855  
expenses as may be necessary or incident to the acquisition, 856  
construction, reconstruction, rehabilitation, remodeling, 857  
renovation, enlargement, improvement, equipment, and furnishing of 858  
capital facilities, the financing of those costs, and the placing 859  
of the capital facilities in use and operation, including any one, 860  
part of, or combination of those classes of costs and expenses. 861

(5) "Credit enhancement facilities," "financing costs," and 862  
"interest" or "interest equivalent" have the same meanings as in 863  
section 133.01 of the Revised Code. 864

(6) "Debt service" means principal, including any mandatory 865  
sinking fund or redemption requirements for retirement of 866  
obligations, interest and other accreted amounts, interest 867

equivalent, and any redemption premium, payable on obligations. If  
not prohibited by the applicable bond proceedings, debt service  
includes costs relating to credit enhancement facilities that are  
related to and represent, or are intended to provide a source of  
payment of or limitation on, other debt service.

(7) "Issuing authority" means the Ohio public facilities  
commission created in section 151.02 of the Revised Code for  
obligations issued under section 151.03, 151.04, 151.05, 151.07,  
or 151.09 of the Revised Code, or the treasurer of state, or the  
officer who by law performs the functions of that office, for  
obligations issued under section 151.06, 151.08, or 151.40 of the  
Revised Code.

(8) "Net proceeds" means amounts received from the sale of  
obligations, excluding amounts used to refund or retire  
outstanding obligations, amounts required to be deposited into  
special funds pursuant to the applicable bond proceedings, and  
amounts to be used to pay financing costs.

(9) "Obligations" means bonds, notes, or other evidences of  
obligation of the state, including any appertaining interest  
coupons, issued pursuant to sections 151.01 to 151.09 or 151.40 of  
the Revised Code.

(10) "Principal amount" means the aggregate of the amount as  
stated or provided for in the applicable bond proceedings as the  
amount on which interest or interest equivalent on particular  
obligations is initially calculated. Principal amount does not  
include any premium paid to the state by the initial purchaser of  
the obligations. "Principal amount" of a capital appreciation  
bond, as defined in division (C) of section 3334.01 of the Revised  
Code, means its face amount, and "principal amount" of a zero  
coupon bond, as defined in division (J) of section 3334.01 of the  
Revised Code, means the discounted offering price at which the  
bond is initially sold to the public, disregarding any purchase

868  
869  
870  
871  
872  
873  
874  
875  
876  
877  
878  
879  
880  
881  
882  
883  
884  
885  
886  
887  
888  
889  
890  
891  
892  
893  
894  
895  
896  
897  
898  
899

price discount to the original purchaser, if provided for pursuant  
to the bond proceedings.

900  
901

(11) "Special funds" or "funds," unless the context indicates  
otherwise, means the bond service fund, and any other funds,  
including any reserve funds, created under the bond proceedings  
and stated to be special funds in those proceedings, including  
moneys and investments, and earnings from investments, credited  
and to be credited to the particular fund. Special funds do not  
include the school building program assistance fund created by  
section 3318.25 of the Revised Code, the higher education  
improvement fund created by division (F) of section 154.21 of the  
Revised Code, the highway capital improvement bond fund created by  
section 5528.53 of the Revised Code, the state parks and natural  
resources fund created by section 1557.02 of the Revised Code, the  
coal research and development fund created by section 1555.15 of  
the Revised Code, the clean Ohio conservation fund created by  
section 164.27 of the Revised Code, the clean Ohio revitalization  
fund created by section 122.658 of the Revised Code, or other  
funds created by the bond proceedings that are not stated by those  
proceedings to be special funds.

902  
903  
904  
905  
906  
907  
908  
909  
910  
911  
912  
913  
914  
915  
916  
917  
918  
919

(B) Subject to Section 21, 2m, 2n, 2o, or 15, and Section 17,  
of Article VIII, Ohio Constitution, the state, by the issuing  
authority, is authorized to issue and sell, as provided in  
sections 151.03 to 151.09 or 151.40 of the Revised Code, and in  
respective aggregate principal amounts as from time to time  
provided or authorized by the general assembly, general  
obligations of this state for the purpose of paying costs of  
capital facilities or projects identified by or pursuant to  
general assembly action.

920  
921  
922  
923  
924  
925  
926  
927  
928

(C) Each issue of obligations shall be authorized by  
resolution or order of the issuing authority. The bond proceedings  
shall provide for or authorize the manner for determining the

929  
930  
931

principal amount or maximum principal amount of obligations of an 932  
issue, the principal maturity or maturities, the interest rate or 933  
rates, the date of and the dates of payment of interest on the 934  
obligations, their denominations, and the place or places of 935  
payment of debt service which may be within or outside the state. 936  
Unless otherwise provided by law, the latest principal maturity 937  
may not be later than the earlier of the thirty-first day of 938  
December of the twenty-fifth calendar year after the year of 939  
issuance of the particular obligations or of the twenty-fifth 940  
calendar year after the year in which the original obligation to 941  
pay was issued or entered into. Sections 9.96, 9.98, 9.981, 9.982, 942  
and 9.983 of the Revised Code apply to obligations. The purpose of 943  
the obligations may be stated in the bond proceedings in general 944  
terms, such as, as applicable, "financing or assisting in the 945  
financing of projects as provided in Section 2l of Article VIII, 946  
Ohio Constitution," "financing or assisting in the financing of 947  
highway capital improvement projects as provided in Section 2m of 948  
Article VIII, Ohio Constitution," "paying costs of capital 949  
facilities for a system of common schools throughout the state as 950  
authorized by Section 2n of Article VIII, Ohio Constitution," 951  
"paying costs of capital facilities for state-supported and 952  
state-assisted institutions of higher education as authorized by 953  
Section 2n of Article VIII, Ohio Constitution," "paying costs of 954  
coal research and development as authorized by Section 15 of 955  
Article VIII, Ohio Constitution," "financing or assisting in the 956  
financing of local subdivision capital improvement projects as 957  
authorized by Section 2m of Article VIII, Ohio Constitution," 958  
"paying costs of conservation projects as authorized by Section 2o 959  
of Article VIII, Ohio Constitution," or "paying costs of 960  
revitalization projects as authorized by Section 2o of Article 961  
VIII, Ohio Constitution." 962

(D) The issuing authority may appoint or provide for the 963

appointment of paying agents, bond registrars, securities 964  
depositories, clearing corporations, and transfer agents, and may 965  
without need for any other approval retain or contract for the 966  
services of underwriters, investment bankers, financial advisers, 967  
accounting experts, marketing, remarketing, indexing, and 968  
administrative agents, other consultants, and independent 969  
contractors, including printing services, as are necessary in the 970  
judgment of the issuing authority to carry out the issuing 971  
authority's functions under this chapter. When the issuing 972  
authority is the Ohio public facilities commission, the issuing 973  
authority also may without need for any other approval retain or 974  
contract for the services of attorneys and other professionals for 975  
that purpose. Financing costs are payable, as may be provided in 976  
the bond proceedings, from the proceeds of the obligations, from 977  
special funds, or from other moneys available for the purpose. 978

(E) The bond proceedings may contain additional provisions 979  
customary or appropriate to the financing or to the obligations or 980  
to particular obligations including, but not limited to, 981  
provisions for: 982

(1) The redemption of obligations prior to maturity at the 983  
option of the state or of the holder or upon the occurrence of 984  
certain conditions, and at particular price or prices and under 985  
particular terms and conditions; 986

(2) The form of and other terms of the obligations; 987

(3) The establishment, deposit, investment, and application 988  
of special funds, and the safeguarding of moneys on hand or on 989  
deposit, in lieu of the applicability of provisions of Chapter 990  
131. or 135. of the Revised Code, but subject to any special 991  
provisions of sections 151.01 to 151.09 or 151.40 of the Revised 992  
Code with respect to the application of particular funds or 993  
moneys. Any financial institution that acts as a depository of any 994  
moneys in special funds or other funds under the bond proceedings 995

may furnish indemnifying bonds or pledge securities as required by 996  
the issuing authority. 997

(4) Any or every provision of the bond proceedings being 998  
binding upon the issuing authority and upon such governmental 999  
agency or entity, officer, board, commission, authority, agency, 1000  
department, institution, district, or other person or body as may 1001  
from time to time be authorized to take actions as may be 1002  
necessary to perform all or any part of the duty required by the 1003  
provision; 1004

(5) The maintenance of each pledge or instrument comprising 1005  
part of the bond proceedings until the state has fully paid or 1006  
provided for the payment of the debt service on the obligations or 1007  
met other stated conditions; 1008

(6) In the event of default in any payments required to be 1009  
made by the bond proceedings, or by any other agreement of the 1010  
issuing authority made as part of a contract under which the 1011  
obligations were issued or secured, including a credit enhancement 1012  
facility, the enforcement of those payments by mandamus, a suit in 1013  
equity, an action at law, or any combination of those remedial 1014  
actions; 1015

(7) The rights and remedies of the holders or owners of 1016  
obligations or of book-entry interests in them, and of third 1017  
parties under any credit enhancement facility, and provisions for 1018  
protecting and enforcing those rights and remedies, including 1019  
limitations on rights of individual holders or owners; 1020

(8) The replacement of mutilated, destroyed, lost, or stolen 1021  
obligations; 1022

(9) The funding, refunding, or advance refunding, or other 1023  
provision for payment, of obligations that will then no longer be 1024  
outstanding for purposes of this section or of the applicable bond 1025  
proceedings; 1026

(10) Amendment of the bond proceedings; 1027

(11) Any other or additional agreements with the owners of 1028  
obligations, and such other provisions as the issuing authority 1029  
determines, including limitations, conditions, or qualifications, 1030  
relating to any of the foregoing. 1031

(F) The great seal of the state or a facsimile of it may be 1032  
affixed to or printed on the obligations. The obligations 1033  
requiring execution by or for the issuing authority shall be 1034  
signed as provided in the bond proceedings. Any obligations may be 1035  
signed by the individual who on the date of execution is the 1036  
authorized signer although on the date of these obligations that 1037  
individual is not an authorized signer. In case the individual 1038  
whose signature or facsimile signature appears on any obligation 1039  
ceases to be an authorized signer before delivery of the 1040  
obligation, that signature or facsimile is nevertheless valid and 1041  
sufficient for all purposes as if that individual had remained the 1042  
authorized signer until delivery. 1043

(G) Obligations are investment securities under Chapter 1308. 1044  
of the Revised Code. Obligations may be issued in bearer or in 1045  
registered form, registrable as to principal alone or as to both 1046  
principal and interest, or both, or in certificated or 1047  
uncertificated form, as the issuing authority determines. 1048  
Provision may be made for the exchange, conversion, or transfer of 1049  
obligations and for reasonable charges for registration, exchange, 1050  
conversion, and transfer. Pending preparation of final 1051  
obligations, the issuing authority may provide for the issuance of 1052  
interim instruments to be exchanged for the final obligations. 1053

(H) Obligations may be sold at public sale or at private 1054  
sale, in such manner, and at such price at, above or below par, 1055  
all as determined by and provided by the issuing authority in the 1056  
bond proceedings. 1057

(I) Except to the extent that rights are restricted by the 1058  
bond proceedings, any owner of obligations or provider of a credit 1059  
enhancement facility may by any suitable form of legal proceedings 1060  
protect and enforce any rights relating to obligations or that 1061  
facility under the laws of this state or granted by the bond 1062  
proceedings. Those rights include the right to compel the 1063  
performance of all applicable duties of the issuing authority and 1064  
the state. Each duty of the issuing authority and that authority's 1065  
officers, staff, and employees, and of each state entity or 1066  
agency, or using district or using institution, and its officers, 1067  
members, staff, or employees, undertaken pursuant to the bond 1068  
proceedings, is hereby established as a duty of the entity or 1069  
individual having authority to perform that duty, specifically 1070  
enjoined by law and resulting from an office, trust, or station 1071  
within the meaning of section 2731.01 of the Revised Code. The 1072  
individuals who are from time to time the issuing authority, 1073  
members or officers of the issuing authority, or those members' 1074  
designees acting pursuant to section 154.02 of the Revised Code, 1075  
or the issuing authority's officers, staff, or employees, are not 1076  
liable in their personal capacities on any obligations or 1077  
otherwise under the bond proceedings. 1078

(J)(1) Subject to Section 2l, 2m, 2n, 2o, or 15, and Section 1079  
17, of Article VIII, Ohio Constitution and sections 151.01 to 1080  
151.09 or 151.40 of the Revised Code, the issuing authority may, 1081  
in addition to the authority referred to in division (B) of this 1082  
section, authorize and provide for the issuance of: 1083

(a) Obligations in the form of bond anticipation notes, and 1084  
may provide for the renewal of those notes from time to time by 1085  
the issuance of new notes. The holders of notes or appertaining 1086  
interest coupons have the right to have debt service on those 1087  
notes paid solely from the moneys and special funds that are or 1088  
may be pledged to that payment, including the proceeds of bonds or 1089

renewal notes or both, as the issuing authority provides in the  
bond proceedings authorizing the notes. Notes may be additionally  
secured by covenants of the issuing authority to the effect that  
the issuing authority and the state will do all things necessary  
for the issuance of bonds or renewal notes in such principal  
amount and upon such terms as may be necessary to provide moneys  
to pay when due the debt service on the notes, and apply their  
proceeds to the extent necessary, to make full and timely payment  
of debt service on the notes as provided in the applicable bond  
proceedings. In the bond proceedings authorizing the issuance of  
bond anticipation notes the issuing authority shall set forth for  
the bonds anticipated an estimated schedule of annual principal  
payments the latest of which shall be no later than provided in  
division (C) of this section. While the notes are outstanding  
there shall be deposited, as shall be provided in the bond  
proceedings for those notes, from the sources authorized for  
payment of debt service on the bonds, amounts sufficient to pay  
the principal of the bonds anticipated as set forth in that  
estimated schedule during the time the notes are outstanding,  
which amounts shall be used solely to pay the principal of those  
notes or of the bonds anticipated.

(b) Obligations for the refunding, including funding and  
retirement, and advance refunding with or without payment or  
redemption prior to maturity, of any obligations previously  
issued. Refunding obligations may be issued in amounts sufficient  
to pay or to provide for repayment of the principal amount,  
including principal amounts maturing prior to the redemption of  
the remaining prior obligations, any redemption premium, and  
interest accrued or to accrue to the maturity or redemption date  
or dates, payable on the prior obligations, and related financing  
costs and any expenses incurred or to be incurred in connection  
with that issuance and refunding. Subject to the applicable bond

proceedings, the portion of the proceeds of the sale of refunding obligations issued under division (J)(1)(b) of this section to be applied to debt service on the prior obligations shall be credited to an appropriate separate account in the bond service fund and held in trust for the purpose by the issuing authority or by a corporate trustee. Obligations authorized under this division shall be considered to be issued for those purposes for which the prior obligations were issued.

(2) Except as otherwise provided in sections 151.01 to 151.09 or 151.40 of the Revised Code, bonds or notes authorized pursuant to division (J) of this section are subject to the provisions of those sections pertaining to obligations generally.

(3) The principal amount of refunding or renewal obligations issued pursuant to division (J) of this section shall be in addition to the amount authorized by the general assembly as referred to in division (B) of the following sections: section 151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, or 151.40 of the Revised Code.

(K) Obligations are lawful investments for banks, savings and loan associations, credit union share guaranty corporations, trust companies, trustees, fiduciaries, insurance companies, including domestic for life and domestic not for life, trustees or other officers having charge of sinking and bond retirement or other special funds of the state and political subdivisions and taxing districts of this state, the sinking fund, the administrator of workers' compensation subject to the approval of the workers' compensation board, the state teachers retirement system, the public employees retirement system, the school employees retirement system, and the Ohio police and fire pension fund, notwithstanding any other provisions of the Revised Code or rules adopted pursuant to those provisions by any state agency with respect to investments by them, and are also acceptable as

security for the repayment of the deposit of public moneys. The 1154  
exemptions from taxation in Ohio as provided for in particular 1155  
sections of the Ohio Constitution and section 5709.76 of the 1156  
Revised Code apply to the obligations. 1157

(L)(1) Unless otherwise provided or provided for in any 1158  
applicable bond proceedings, moneys to the credit of or in a 1159  
special fund shall be disbursed on the order of the issuing 1160  
authority. No such order is required for the payment, from the 1161  
bond service fund or other special fund, when due of debt service 1162  
or required payments under credit enhancement facilities. 1163

(2) Payments received by the state under interest rate hedges 1164  
entered into as credit enhancement facilities under this chapter 1165  
shall be deposited to the credit of the bond service fund for the 1166  
obligations to which those credit enhancement facilities relate. 1167  
1168

(M) The full faith and credit, revenue, and taxing power of 1169  
the state are and shall be pledged to the timely payment of debt 1170  
service on outstanding obligations as it comes due, all in 1171  
accordance with Section 2l, 2m, 2n, 2o, or 15 of Article VIII, 1172  
Ohio Constitution, and section 151.03, 151.04, 151.05, 151.06, 1173  
151.07, 151.08, or 151.09 of the Revised Code. Moneys referred to 1174  
in Section 5a of Article XII, Ohio Constitution, may not be 1175  
pledged or used for the payment of debt service except on 1176  
obligations referred to in section 151.06 of the Revised Code. Net 1177  
state lottery proceeds, as provided for and referred to in section 1178  
3770.06 of the Revised Code, may not be pledged or used for the 1179  
payment of debt service except on obligations referred to in 1180  
section 151.03 of the Revised Code. The state covenants, and that 1181  
covenant shall be controlling notwithstanding any other provision 1182  
of law, that the state and the applicable officers and agencies of 1183  
the state, including the general assembly, shall, so long as any 1184  
obligations are outstanding in accordance with their terms, 1185

maintain statutory authority for and cause to be levied, collected 1186  
and applied sufficient pledged excises, taxes, and revenues of the 1187  
state so that the revenues shall be sufficient in amounts to pay 1188  
debt service when due, to establish and maintain any reserves and 1189  
other requirements, and to pay financing costs, including costs of 1190  
or relating to credit enhancement facilities, all as provided for 1191  
in the bond proceedings. Those excises, taxes, and revenues are 1192  
and shall be deemed to be levied and collected, in addition to the 1193  
purposes otherwise provided for by law, to provide for the payment 1194  
of debt service and financing costs in accordance with sections 1195  
151.01 to ~~151.08~~ 151.09 of the Revised Code and the bond 1196  
proceedings. 1197

(N) The general assembly may from time to time repeal or 1198  
reduce any excise, tax, or other source of revenue pledged to the 1199  
payment of the debt service pursuant to Section 2l, 2m, 2n, 2o, or 1200  
15 of Article VIII, Ohio Constitution, and sections 151.01 to 1201  
151.09 or 151.40 of the Revised Code, and may levy, collect and 1202  
apply any new or increased excise, tax, or revenue to meet the 1203  
pledge, to the payment of debt service on outstanding obligations, 1204  
of the state's full faith and credit, revenue and taxing power, or 1205  
of designated revenues and receipts, except fees, excises or taxes 1206  
referred to in Section 5a of Article XII, Ohio Constitution, for 1207  
other than obligations referred to in section 151.06 of the 1208  
Revised Code and except net state lottery proceeds for other than 1209  
obligations referred to in section 151.03 of the Revised Code. 1210  
Nothing in division (N) of this section authorizes any impairment 1211  
of the obligation of this state to levy and collect sufficient 1212  
excises, taxes, and revenues to pay debt service on obligations 1213  
outstanding in accordance with their terms. 1214

(O) Each bond service fund is a trust fund and is hereby 1215  
pledged to the payment of debt service on the applicable 1216  
obligations. Payment of that debt service shall be made or 1217

provided for by the issuing authority in accordance with the bond 1218  
proceedings without necessity for any act of appropriation. The 1219  
bond proceedings may provide for the establishment of separate 1220  
accounts in the bond service fund and for the application of those 1221  
accounts only to debt service on specific obligations, and for 1222  
other accounts in the bond service fund within the general 1223  
purposes of that fund. 1224

(P) Subject to the bond proceedings pertaining to any 1225  
obligations then outstanding in accordance with their terms, the 1226  
issuing authority may in the bond proceedings pledge all, or such 1227  
portion as the issuing authority determines, of the moneys in the 1228  
bond service fund to the payment of debt service on particular 1229  
obligations, and for the establishment and maintenance of any 1230  
reserves for payment of particular debt service. 1231

(Q) For obligations issued pursuant to sections 151.01 to 1232  
151.09 of the Revised Code, the issuing authority shall by the 1233  
fifteenth day of the July of each fiscal year, certify or cause to 1234  
be certified to the office of budget and management the total 1235  
amount of moneys required during the current fiscal year to meet 1236  
in full all debt service on the respective obligations and any 1237  
related financing costs payable from the applicable bond service 1238  
fund and not from the proceeds of refunding or renewal 1239  
obligations. The issuing authority shall make or cause to be made 1240  
supplemental certifications to the office of budget and management 1241  
for each debt service payment date and at such other times during 1242  
each fiscal year as may be provided in the bond proceedings or 1243  
requested by that office. Debt service, costs of credit 1244  
enhancement facilities, and other financing costs shall be set 1245  
forth separately in each certification. If and so long as the 1246  
moneys to the credit of the bond service fund, together with any 1247  
other moneys available for the purpose, are insufficient to meet 1248  
in full all payments when due of the amount required as stated in 1249

the certificate or otherwise, the office of budget and management 1250  
shall at the times as provided in the bond proceedings, and 1251  
consistent with any particular provisions in sections 151.03 to 1252  
151.09 of the Revised Code, transfer a sufficient amount to the 1253  
bond service fund from the revenues derived from excises, taxes, 1254  
and other revenues, including net state lottery proceeds in the 1255  
case of obligations referred to in section 151.03 of the Revised 1256  
Code. 1257

(R) Unless otherwise provided in any applicable bond 1258  
proceedings, moneys to the credit of special funds may be invested 1259  
by or on behalf of the state only in one or more of the following: 1260

(1) Notes, ~~bond~~ bonds, or other direct obligations of the 1261  
United States or of any agency or instrumentality of the United 1262  
States, or in no-front-end-load money market mutual funds 1263  
consisting exclusively of those obligations, or in repurchase 1264  
agreements, including those issued by any fiduciary, secured by 1265  
those obligations, or in collective investment funds consisting 1266  
exclusively of those obligations; 1267

(2) Obligations of this state or any political subdivision of 1268  
this state; 1269

(3) Certificates of deposit of any national bank located in 1270  
this state and any bank, as defined in section 1101.01 of the 1271  
Revised Code, subject to inspection by the superintendent of 1272  
financial institutions; 1273

(4) The treasurer of state's pooled investment program under 1274  
section 135.45 of the Revised Code. 1275

The income from investments referred to in division (R) of 1276  
this section shall, unless otherwise provided in sections 151.01 1277  
to 151.09 or 151.40 of the Revised Code, be credited to special 1278  
funds or otherwise as the issuing authority determines in the bond 1279  
proceedings. Those investments may be sold or exchanged at times 1280

as the issuing authority determines, provides for, or authorizes. 1281

(S) The treasurer of state shall have responsibility for 1282  
keeping records, making reports, and making payments, relating to 1283  
any arbitrage rebate requirements under the applicable bond 1284  
proceedings. 1285

**Sec. 151.09.** (A) As used in this section: 1286

(1) "Costs of conservation projects" includes related direct 1287  
administrative expenses and allocable portions of the direct costs 1288  
of those projects of the department of agriculture, the department 1289  
of natural resources, or the Ohio public works commission. 1290

(2) "Obligations" means obligations as defined in section 1291  
151.01 of the Revised Code issued to pay costs of projects for 1292  
conservation purposes as referred to in division (A)(1) of Section 1293  
2o of Article VIII, Ohio Constitution. 1294

(B)(1) The issuing authority shall issue general obligations 1295  
of the state to pay costs of conservation projects pursuant to 1296  
division (B)(1) of Section 2o of Article VIII, Ohio Constitution, 1297  
section 151.01 of the Revised Code, and this section. The issuing 1298  
authority, upon the certification to it by the Ohio public works 1299  
commission of amounts needed in and for the purposes of the clean 1300  
Ohio conservation fund created by section 164.27 of the Revised 1301  
Code, the clean Ohio agricultural easement fund created by section 1302  
901.21 of the Revised Code, and the clean Ohio trail fund created 1303  
by section 1519.05 of the Revised Code, shall issue obligations in 1304  
the amount determined by the issuing authority to be required for 1305  
those purposes. The total principal amount of obligations issued 1306  
under this section shall not exceed two hundred million dollars. 1307

(2) In making the certification required under division 1309  
(B)(1) of this section, the Ohio public works commission shall 1310

consult with the department of agriculture and the department of 1311  
natural resources. The commission shall certify amounts that 1312  
correspond to the distribution of the net proceeds of obligations 1313  
provided in division (C) of this section. 1314

(C) Net proceeds of obligations shall be deposited as 1315  
follows: 1316

(1) Seventy-five per cent into the clean Ohio conservation 1317  
fund created by section 164.27 of the Revised Code; 1318

(2) Twelve and one-half per cent into the clean Ohio 1319  
agricultural easement fund created by section 901.21 of the 1320  
Revised Code; 1321

(3) Twelve and one-half per cent into the clean Ohio trail 1322  
fund created by section 1519.05 of the Revised Code. 1323

(D) There is hereby created in the state treasury the 1324  
conservation projects bond service fund. All moneys received by 1325  
the state and required by the bond proceedings, consistent with 1326  
section 151.01 of the Revised Code and this section, to be 1327  
deposited, transferred, or credited to the bond service fund, and 1328  
all other moneys transferred or allocated to or received for the 1329  
purposes of that fund, shall be deposited and credited to the bond 1330  
service fund, subject to any applicable provisions of the bond 1331  
proceedings, but without necessity for any act of appropriation. 1332  
During the period beginning with the date of the first issuance of 1333  
obligations and continuing during the time that any obligations 1334  
are outstanding in accordance with their terms, so long as moneys 1335  
in the bond service fund are insufficient to pay debt service when 1336  
due on those obligations payable from that fund, except the 1337  
principal amounts of bond anticipation notes payable from the 1338  
proceeds of renewal notes or bonds anticipated, and due in the 1339  
particular fiscal year, a sufficient amount of revenues of the 1340  
state is committed and, without necessity for further act of 1341

appropriation, shall be paid to the bond service fund for the 1342  
purpose of paying that debt service when due. 1343

**Sec. 151.40.** (A) As used in this section: 1344

(1) "Bond proceedings" includes any trust agreements, and any 1345  
amendments or supplements to them, as authorized by this section. 1346  
1347

(2) "Costs of revitalization projects" includes related 1348  
direct administrative expenses and allocable portions of the 1349  
direct costs of those projects of the department of development or 1350  
the environmental protection agency. 1351

(3) "Issuing authority" means the treasurer of state. 1352

(4) "Obligations" means obligations as defined in section 1353  
151.01 of the Revised Code issued to pay the costs of projects for 1354  
revitalization purposes as referred to in division (A)(2) of 1355  
Section 2o of Article VIII, Ohio Constitution. 1356

(5) "Pledged liquor profits" means all receipts of the state 1357  
representing the gross profit on the sale of spirituous liquor, as 1358  
referred to in division (B)(4) of section 4301.10 of the Revised 1359  
Code, after paying all costs and expenses of the division of 1360  
liquor control and providing an adequate working capital reserve 1361  
for the division of liquor control as provided in that division, 1362  
but excluding the sum required by the second paragraph of section 1363  
4301.12 of the Revised Code, as it was in effect on May 2, 1980, 1364  
to be paid into the state treasury. 1365

(6) "Pledged receipts" means, as and to the extent provided 1366  
in bond proceedings: 1367

(a) Pledged liquor profits. The pledge of pledged liquor 1368  
profits to obligations is subject to the priority of the pledge of 1369  
those profits to obligations issued and to be issued, and 1370  
guarantees made and to be made, pursuant to Chapter 166. of the 1371

Revised Code.	1372
(b) Moneys accruing to the state from the lease, sale, or other disposition or use of revitalization projects or from the repayment, including any interest, of loans or advances made from net proceeds;	1373 1374 1375 1376
(c) Accrued interest received from the sale of obligations;	1377
(d) Income from the investment of the special funds;	1378
(e) Any gifts, grants, donations, or pledges, and receipts therefrom, available for the payment of debt service;	1379 1380
(f) Additional or any other specific revenues or receipts lawfully available to be pledged, and pledged, pursuant to further authorization by the general assembly, to the payment of debt service.	1381 1382 1383 1384
(B) The issuing authority shall issue obligations of the state to pay costs of revitalization projects pursuant to division (B)(2) of Section 20 of Article VIII, Ohio Constitution, section 151.01 of the Revised Code as applicable to this section, and this section. The issuing authority, upon the certification to it by the clean Ohio council of the amount of moneys needed in and for the purposes of the clean Ohio revitalization fund created by section 122.658 of the Revised Code, shall issue obligations in the amount determined by the issuing authority to be required for those purposes. The total principal amount of obligations issued under this section shall not exceed two hundred million dollars. The provisions and authorizations in section 151.01 of the Revised Code apply to the obligations and the bond proceedings except as otherwise provided or provided for in those obligations and bond proceedings.	1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398 1399
(C) Net proceeds of obligations shall be deposited in the clean Ohio revitalization fund created in section 122.658 of the Revised Code.	1400 1401 1402

(D) There is hereby created the revitalization projects bond 1403  
service fund, which shall be in the custody of the treasurer of 1404  
state, but shall be separate and apart from and not a part of the 1405  
state treasury. All money received by the state and required by 1406  
the bond proceedings, consistent with section 151.01 of the 1407  
Revised Code and this section, to be deposited, transferred, or 1408  
credited to the bond service fund, and all other money transferred 1409  
or allocated to or received for the purposes of that fund, shall 1410  
be deposited and credited to the bond service fund, subject to any 1411  
applicable provisions of the bond proceedings, but without 1412  
necessity for any act of appropriation. During the period 1413  
beginning with the date of the first issuance of obligations and 1414  
continuing during the time that any obligations are outstanding in 1415  
accordance with their terms, so long as moneys in the bond service 1416  
fund are insufficient to pay debt service when due on those 1417  
obligations payable from that fund, except the principal amounts 1418  
of bond anticipation notes payable from the proceeds of renewal 1419  
notes or bonds anticipated, and due in the particular fiscal year, 1420  
a sufficient amount of pledged receipts is committed and, without 1421  
necessity for further act of appropriation, shall be paid to the 1422  
bond service fund for the purpose of paying that debt service when 1423  
due. 1424

(E) The issuing authority may pledge all, or such portion as 1425  
the issuing authority determines, of the pledged receipts to the 1426  
payment of the debt service charges on obligations issued under 1427  
this section, and for the establishment and maintenance of any 1428  
reserves, as provided in the bond proceedings, and make other 1429  
provisions in the bond proceedings with respect to pledged 1430  
receipts as authorized by this section, which provisions are 1431  
controlling notwithstanding any other provisions of law pertaining 1432  
to them. 1433

(F) The issuing authority may covenant in the bond 1434

proceedings, and such covenants shall be controlling 1435  
notwithstanding any other provision of law, that the state and 1436  
applicable officers and state agencies, including the general 1437  
assembly, so long as any obligations issued under this section are 1438  
outstanding, shall maintain statutory authority for and cause to 1439  
be charged and collected wholesale or retail prices for spirituous 1440  
liquor sold by the state or its agents so that the available 1441  
pledged receipts are sufficient in time and amount to meet debt 1442  
service payable from pledged liquor profits and for the 1443  
establishment and maintenance of any reserves and other 1444  
requirements provided for in the bond proceedings. 1445

(G) Obligations may be further secured, as determined by the 1446  
issuing authority, by a trust agreement between the state and a 1447  
corporate trustee, which may be any trust company or bank having 1448  
its principal place of business within the state. Any trust 1449  
agreement may contain the resolution or order authorizing the 1450  
issuance of the obligations, any provisions that may be contained 1451  
in any bond proceedings, and other provisions that are customary 1452  
or appropriate in an agreement of that type, including, but not 1453  
limited to: 1454

(1) Maintenance of each pledge, trust agreement, or other 1455  
instrument comprising part of the bond proceedings until the state 1456  
has fully paid or provided for the payment of debt service on the 1457  
obligations secured by it; 1458

(2) In the event of default in any payments required to be 1459  
made by the bond proceedings, enforcement of those payments or 1460  
agreements by mandamus, the appointment of a receiver, suit in 1461  
equity, action at law, or any combination of them; 1462

(3) The rights and remedies of the holders or owners of 1463  
obligations and of the trustee and provisions for protecting and 1464  
enforcing them, including limitations on rights of individual 1465  
holders and owners. 1466

(H) The obligations shall not be general obligations of the state and the full faith and credit, revenue, and taxing power of the state shall not be pledged to the payment of debt service on them. The holders or owners of the obligations shall have no right to have any moneys obligated or pledged for the payment of debt service except as provided in this section and in the applicable bond proceedings. The rights of the holders and owners to payment of debt service are limited to all or that portion of the pledged receipts, and those special funds, pledged to the payment of debt service pursuant to the bond proceedings in accordance with this section, and each obligation shall bear on its face a statement to that effect.

**Sec. 175.03.** (A)(1) The Ohio housing finance agency shall consist of eleven members. Nine of the members shall be appointed by the governor with the advice and consent of the senate. The director of commerce and the director of development, or their respective designees, shall also be voting members of the agency. Of the nine appointed members, at least one shall have experience in residential housing construction; at least one shall have experience in residential housing mortgage lending, loan servicing, or brokering; at least one shall have experience in the licensed residential housing brokerage business; at least one shall have experience with the housing needs of senior citizens; at least one shall be from a background in labor representation in the construction industry; at least one shall represent the interests of nonprofit multifamily housing development ~~organizations~~ corporations; at least one shall represent the interests of for-profit multifamily housing development ~~corporations~~ organizations; and two shall be public members. The governor shall receive recommendations from the Ohio housing council for appointees to represent the interests of nonprofit multifamily housing development corporations and for-profit

multifamily housing development organizations. Each appointee 1499  
representing multifamily housing interests currently shall be 1500  
employed with an organization that is active in the area of 1501  
affordable housing development or management. No more than six of 1502  
the appointed members of the agency shall be of the same political 1503  
party. Of the appointments made to the agency for the eighth and 1504  
ninth appointed members in accordance with this amendment, one 1505  
shall be for a term ending on January 31, 2005, and one shall be 1506  
for a term ending on January 31, 2006. Thereafter, each appointed 1507  
member shall serve for a term ending on the thirty-first day of 1508  
January which is six years following the date of termination of 1509  
the term which it succeeds. Each member shall hold office from the 1510  
date of the member's appointment until the end of the term for 1511  
which the member was appointed. Any member appointed to fill a 1512  
vacancy occurring prior to the expiration of the term for which 1513  
the member's predecessor was appointed shall hold office for the 1514  
remainder of such term. Any appointed member shall continue in 1515  
office subsequent to the expiration date of the member's term 1516  
until the member's successor takes office, or until a period of 1517  
sixty days has elapsed, whichever occurs first. Each appointed 1518  
member may be removed from office by the governor for misfeasance, 1519  
nonfeasance, malfeasance in office, or for failure to attend in 1520  
person three consecutive meetings of the agency. 1521

(2) The director of development or the director's designee 1522  
shall be the chairperson of the agency. The agency shall elect one 1523  
of its appointed members as vice-chairperson and such other 1524  
officers as it deems necessary, who need not be members of the 1525  
agency. Each appointed member of the agency shall receive 1526  
compensation at the rate of one hundred fifty dollars per agency 1527  
meeting attended in person, not to exceed a maximum of three 1528  
thousand dollars per year. All members shall be reimbursed for 1529  
their actual and necessary expenses incurred in the discharge of 1530  
their official duties. 1531

(3) ~~six~~ Six members of the agency constitute a quorum, and 1532  
the affirmative vote of six members shall be necessary for any 1533  
action taken by the agency. No vacancy in membership of the agency 1534  
impairs the right of a quorum to exercise all the rights and 1535  
perform all the duties of the agency. Meetings of the agency may 1536  
be held at any place within the state. Meetings of the agency, 1537  
including notice of the place of meetings, shall comply with 1538  
section 121.22 of the Revised Code. 1539

(B)(1) The appointed members of the agency are not subject to 1540  
section 102.02 of the Revised Code. Each such appointed member 1541  
shall file with the agency a signed written statement setting 1542  
forth the general nature of sales of goods, property or services 1543  
or of loans to the agency in which such member has a pecuniary 1544  
interest or in which any member of the member's immediate family, 1545  
as defined in section 102.01 of the Revised Code, or any 1546  
corporation, partnership or enterprise of which the member is an 1547  
officer, director, or partner, or of which the member or a member 1548  
of the member's immediate family, as so defined, owns more than a 1549  
five per cent interest, has a pecuniary interest, and of which 1550  
sale, loan and interest such member has knowledge. The statement 1551  
shall be supplemented from time to time to reflect changes in the 1552  
general nature of any such sales or loans. No member shall 1553  
participate in portions of agency meetings dealing with, or vote 1554  
concerning, any such matter. ~~The~~ 1555

(2) The requirements of this section pertaining to disclosure 1556  
and prohibition from participation and voting do not apply to 1557  
agency loans to lending institutions or contracts between the 1558  
agency and lending institutions for the purchase, administration, 1559  
or servicing of loans notwithstanding that such lending 1560  
institution has a director, officer, employee, or owner who is a 1561  
member of the agency, and no such loans or contracts shall be 1562  
deemed to be prohibited or otherwise regulated by reason of any 1563

other law or rule. 1564

(3) The members of the agency representing multifamily housing interests are not in violation of division (A) of section 2921.42, division (D) of section 102.03, or division (E) of section 102.03 of the Revised Code in regard to a contract the agency enters into if both of the following apply: 1565  
1566  
1567  
1568  
1569

(a) The contract is entered into for a loan, grant, or participation in a program administered or funded by the agency and the contract was awarded pursuant to rules or guidelines the agency adopted. 1570  
1571  
1572  
1573

(b) The member does not participate in the discussion or vote on the contract if the contract secured a grant or loan that would directly benefit the member, a family member, or a business associate of the member. 1574  
1575  
1576  
1577

**Sec. 727.01.** Each municipal corporation shall have special power to levy and collect special assessments. The legislative authority of a municipal corporation may assess upon the abutting, adjacent, and contiguous, or other specially benefited, lots or lands in the municipal corporation, any part of the cost connected with the improvement of any street, alley, dock, wharf, pier, public road, place, boulevard, parkway, or park entrance or an easement of the municipal corporation available for the purpose of the improvement to be made ~~therein~~ in it by grading, draining, curbing, paving, repaving, repairing, treating the surface with substances designed to lay the dust ~~thereon~~ on it or preserve ~~such surface~~ it, constructing sidewalks, piers, wharves, docks, retaining walls, sewers, sewage disposal works and treatment plants ~~and~~, sewage pumping stations, water treatment plants, water pumping stations, reservoirs, and water storage tanks or standpipes, together with the facilities and appurtenances necessary and proper therefor, drains, storm-water retention 1578  
1579  
1580  
1581  
1582  
1583  
1584  
1585  
1586  
1587  
1588  
1589  
1590  
1591  
1592  
1593  
1594

basins, watercourses, water mains, or laying of water pipe, or the 1595  
lighting, sprinkling, sweeping, or cleaning thereof, or removing 1596  
snow therefrom, any part of the cost and expense of planting, 1597  
maintaining, and removing shade trees thereupon; any part of the 1598  
cost of a voluntary action, as defined in section 3746.01 of the 1599  
Revised Code, undertaken pursuant to Chapter 3746. of the Revised 1600  
Code by a special improvement district created under Chapter 1710. 1601  
of the Revised Code, including the cost of acquiring property with 1602  
respect to which the voluntary action is undertaken; ~~and in~~ 1603  
~~addition,~~ any part of the cost and expense of constructing, 1604  
maintaining, repairing, cleaning, and enclosing ditches; i any part 1605  
of the cost and expense of operating, maintaining, and replacing 1606  
heating and cooling facilities for enclosed pedestrian canopies 1607  
and malls; i any part of the cost and expense of acquiring and 1608  
improving parking facilities and structures for off-street parking 1609  
of motor vehicles or of acquiring land and improving the same ~~it~~ 1610  
by clearing, grading, draining, paving, lighting, erecting, 1611  
constructing, and equipping it for parking facilities and 1612  
structures for off-street parking of motor vehicles, to the extent 1613  
authorized by section 717.05 of the Revised Code; ~~provided, but~~ 1614  
only if no special assessment made for the purpose of developing 1615  
off-street parking facilities and structures ~~shall be~~ is levied 1616  
against any land being used solely for off-street parking or 1617  
against any land used solely for single or two-family dwellings; 1618  
any part of the cost and expense of operating and maintaining the 1619  
off-street parking facilities and structures; i and any part of the 1620  
cost connected with changing the channel of, or narrowing, 1621  
widening, dredging, deepening, or improving, any stream or 1622  
watercourse, and for constructing or improving any levees or 1623  
boulevards ~~thereon~~ on any stream or watercourse, or along or about 1624  
~~the same~~ any stream or watercourse, together with any retaining 1625  
wall, riprap protection, bulkhead, culverts, approaches, flood 1626  
gates, waterways, or drains incidental ~~thereto~~ to any stream or 1627

watercourse, or for making any other improvement of any river or 1628  
lake front, whether ~~such river front or lake front~~ it is privately 1629  
or publicly owned, which the legislative authority declares 1630  
conducive to the public health, convenience, or welfare. In 1631  
addition, a municipal corporation may levy a special assessment 1632  
for public improvement or public services plans of a district 1633  
formed under Chapter 1710. of the Revised Code, as provided in 1634  
that chapter. Except as otherwise provided in Chapter 1710. of the 1635  
Revised Code, special assessments may be levied by any of the 1636  
following methods: 1637

(A) By a percentage of the tax value of the property 1638  
assessed; 1639

(B) In proportion to the benefits ~~which~~ that may result from 1640  
the improvement; 1641

(C) By the front foot of the property bounding and abutting 1642  
upon the improvement. 1643

**Sec. 3311.25.** (A) Notwithstanding any other provision of this 1644  
chapter, two or more city, local, or exempted village school 1645  
districts whose territory is primarily located within the same 1646  
county may be merged as provided in this section, if the county 1647  
has a population of less than one hundred thousand, as determined 1648  
by the most recent federal decennial census. 1649

(B) A petition may be filed with the board of elections 1650  
proposing that two or more school districts whose territory is 1651  
primarily located within a county meeting the qualifications of 1652  
division (A) of this section form a commission to study the 1653  
proposed merger of the school districts. The petition may be 1654  
presented in separate petition papers. Each petition paper shall 1655  
contain, in concise language, the purpose of the petition and the 1656  
names of five electors of each school district proposed to be 1657  
merged to serve as commissioners on the merger study commission. 1658

The petition shall be governed by the rules of section 3501.38 of the Revised Code.

1659  
1660

A petition filed under this section shall contain signatures of electors of each school district proposed to be merged, numbering not less than ten per cent of the number of electors residing in that district who voted for the office of governor at the most recent general election for that office. The petition shall be filed with the board of elections of the county described by division (A) of this section. The board of elections of the county in which the petition is required to be filed shall ascertain the validity of all signatures on the petition and may require the assistance of boards of elections of other counties if any of the school districts proposed to be merged are located partially in a county other than the one in which the petition is required to be filed.

1661  
1662  
1663  
1664  
1665  
1666  
1667  
1668  
1669  
1670  
1671  
1672  
1673

(C)(1) If the board of elections of the county in which the petition is required to be filed determines that the petition is sufficient, the board shall submit the following question for the approval or rejection of the electors of each school district proposed to be merged at the next general election occurring at least seventy-five days after the date the petition is filed: "Shall a commission be established to study the proposed merger of any or all of the school districts in this county and, if a merger is considered desirable, to draw up a statement of conditions for that proposed merger?" The ballot shall include, for each of the school districts proposed to be merged, the names of the five electors identified in the petition, who shall constitute the commissioners on behalf of that district.

1674  
1675  
1676  
1677  
1678  
1679  
1680  
1681  
1682  
1683  
1684  
1685  
1686

(2) If any of the school districts for which merger is proposed are located partially in a county other than the one in which the petition is required to be filed, the board of elections of the county in which the petition is required to be filed shall,

1687  
1688  
1689  
1690

if the petition is found to be sufficient, certify the sufficiency of that petition and the statement of the issue to be voted on to the boards of elections of those other counties. The boards of those other counties shall submit the question of merging and the names of candidates to be elected to the commission for the approval or rejection of electors in the portions of the school districts proposed to be merged that are located within their respective counties. Upon the holding of the election, those boards shall certify the results to the board of elections of the county in which the petition is required to be filed.

1691  
1692  
1693  
1694  
1695  
1696  
1697  
1698  
1699  
1700

(D) A petition shall not be deemed insufficient for all school districts proposed to be merged if it contains the signatures of less than ten per cent of the electors who voted for the office of governor at the most recent general election for that office in a particular school district. If the petition contains a sufficient number of signatures and is otherwise determined by the board of elections to be sufficient for at least two school districts proposed to be merged, the board shall submit the question of the proposed merger for the approval or rejection of voters under division (C) of this section in each of the districts for which the petition was determined to be sufficient. The board shall not submit the question of the proposed merger for the approval or rejection of voters under division (C) of this section for any school district for which a petition contains an insufficient number of signatures or for which the board otherwise determines the petition to be insufficient.

1701  
1702  
1703  
1704  
1705  
1706  
1707  
1708  
1709  
1710  
1711  
1712  
1713  
1714  
1715  
1716

(E)(1) If the question of forming a merger study commission as provided in division (C) of this section is approved by a majority of those voting on it in at least two school districts, the commission shall be established and the five candidates from each school district in which the question was approved shall be elected to the commission to study the proposed merger and to

1717  
1718  
1719  
1720  
1721  
1722

formulate any conditions of any proposed merger if a merger is  
considered desirable after study by the commission. Any school  
district that disapproved of the question of forming a merger  
study commission by a majority of those voting on it shall not be  
included in, and its proposed candidates shall not be elected to,  
the commission.

1723  
1724  
1725  
1726  
1727  
1728

(2) The first meeting of the commission shall be held in the  
regular meeting place of the board of county commissioners of the  
county in which the petition is required to be filed, at nine a.m.  
on the tenth day after the certification of the election by the  
last of the respective boards of elections to make such  
certification, unless that day is a Saturday, Sunday, or a  
holiday, in which case the first meeting shall be held on the next  
day thereafter that is not a Saturday, Sunday, or holiday. The  
president of the school board of the school district with the  
largest population of the districts that approved the question of  
forming a merger study commission under division (C) of this  
section shall serve as temporary chairperson until permanent  
officers are elected. The commission shall immediately elect its  
own permanent officers and shall proceed to meet as often as  
necessary to study the proposed merger, determine whether a  
proposed merger is desirable, and formulate any conditions for any  
proposed merger. All meetings of the commission shall be subject  
to the requirements of section 121.22 of the Revised Code.

1729  
1730  
1731  
1732  
1733  
1734  
1735  
1736  
1737  
1738  
1739  
1740  
1741  
1742  
1743  
1744  
1745  
1746

(3) The conditions for a proposed merger may provide for the  
election of school board members for the new school district and  
any other conditions that a majority of the members of the  
commission from each school district find necessary. The  
conditions for the proposed merger also may provide that the  
merger, if approved, shall not become effective until the date on  
which any required changes in state law necessary for the school  
district merger to occur become effective.

1747  
1748  
1749  
1750  
1751  
1752  
1753  
1754

(4) As soon as the commission determines that a merger is not desirable or finalizes the conditions for a proposed merger, the commission shall report this fact, and the name of each school district proposed for merger in which the majority of the district's commissioners have agreed to the conditions for merger, to the board of elections of each of the counties in which the school districts proposed for merger are located.

The question shall be submitted to the voters in each school district in which the majority of the district's commissioners have agreed to the conditions for merger at the next general election occurring after the commission is elected. The question shall not be submitted to the voters in any school district in which a majority of that district's commissioners have not agreed to the conditions for merger. The board of elections shall not submit the conditions for merger to the voters in any district if the conditions for merger include the merging of any district in which the majority of that district's commissioners have not agreed to the conditions for merger.

The boards of elections shall submit the conditions of proposed merger for the approval or rejection of the electors in the portions of the school districts proposed to be merged within their respective counties. Upon the holding of that election, the boards of elections shall certify the results to the board of elections of the county in which the petition is required to be filed.

Regardless of whether the commission succeeds in reaching agreement, the commission shall cease to exist on the seventy-fifth day prior to the next general election after the commission is elected.

(F) If the conditions of merger agreed upon by the merger commission are disapproved by a majority of those voting on them in any school district proposed to be merged, the merger shall not

occur, unless the conditions of merger provide for a merger to 1787  
occur without the inclusion of that district and the conditions of 1788  
merger are otherwise met. No district in which the conditions of 1789  
merger are disapproved by a majority of those voting on them shall 1790  
be included in any merger resulting from that election. If the 1791  
conditions of merger are approved by a majority of those voting on 1792  
them in each school district proposed to be merged, or if the 1793  
conditions of merger provide for a merger to occur without the 1794  
inclusion of one or more districts in which the conditions of 1795  
merger are disapproved by a majority of those voting on them, the 1796  
merger shall be effective on the date specified in the conditions 1797  
of the merger, unless the conditions of merger specify changes 1798  
required to be made in state law for the merger to occur, in which 1799  
case the merger shall be effective on the date on which those 1800  
changes to state law become effective. 1801

**Sec. 3318.023.** Notwithstanding anything to the contrary in 1802  
section 3318.02 of the Revised Code, each fiscal year, at the time 1803  
that the Ohio school facilities commission conditionally approves 1804  
projects of school districts under section 3318.01 to 3318.20 of 1805  
the Revised Code for which it plans to provide assistance under 1806  
those sections for that fiscal year, the commission also shall 1807  
identify the next ten school districts from lowest to highest in 1808  
order of the ranking calculated for the previous fiscal year under 1809  
division (D) of section 3318.011 of the Revised Code that have not 1810  
yet been conditionally approved for assistance under section 1811  
3318.01 to 3318.20 of the Revised Code. Those districts shall have 1812  
priority in the order of such ranking with the lowest valuation 1813  
having the highest priority for future assistance under those 1814  
sections over all other school districts except for districts 1815  
receiving assistance under division (B)(2) of section 3318.04, 1816  
section 3318.37, or section 3318.38 of the Revised Code or 1817  
districts that have priority under section 3318.05 of the Revised 1818

<u>Code.</u>	1819
<b>Sec. 3318.03.</b> Before conducting an on-site evaluation of a	1820
school district under section 3318.02 of the Revised Code, at the	1821
request of the district board of education, the Ohio school	1822
facilities commission shall examine any classroom facilities needs	1823
assessment that has been conducted by the district and any master	1824
plan developed for meeting the facility needs of the district.	1825
Upon conducting the on-site evaluation under section 3318.02	1826
of the Revised Code, the Ohio school facilities commission shall	1827
make a determination of all of the following:	1828
(A) The needs of the school district for additional classroom	1829
facilities;	1830
(B) The number of classroom facilities to be included in a	1831
project, including classroom facilities authorized by a bond issue	1832
described in section 3318.033 of the Revised Code, and the basic	1833
project cost of constructing, acquiring, reconstructing, or making	1834
additions to each such facility;	1835
(C) The amount of such cost that the school district can	1836
supply from available funds, by the issuance of bonds previously	1837
authorized by the electors of the school district the proceeds of	1838
which can lawfully be used for the project, including bonds	1839
authorized by the district's electors as described in section	1840
3318.033 of the Revised Code, and by the issuance of bonds under	1841
section 3318.05 of the Revised Code;	1842
(D) The remaining amount of such cost that shall be supplied	1843
by the state;	1844
(E) <del>If the state's portion of the basic project cost exceeds</del>	1845
<del>twenty-five million dollars, the</del> <u>The</u> amount of the state's portion	1846
to be encumbered in accordance with section 3318.11 of the Revised	1847

Code in the current and subsequent fiscal bienniums from funds 1848  
appropriated for purposes of sections 3318.01 to 3318.20 of the 1849  
Revised Code. 1850

The commission shall make a determination in favor of 1851  
constructing, acquiring, reconstructing, or making additions to a 1852  
classroom facility only upon evidence that the proposed project 1853  
conforms to sound educational practice, that it is in keeping with 1854  
the orderly process of school district reorganization and 1855  
consolidation, and that the actual or projected enrollment in each 1856  
classroom facility proposed to be included in the project is at 1857  
least three hundred fifty pupils. Exceptions shall be authorized 1858  
only in those districts where topography, sparsity of population, 1859  
and other factors make larger schools impracticable. 1860

Sections 125.81 and 153.04 of the Revised Code shall not 1861  
apply to classroom facilities constructed under sections 3318.01 1862  
to 3318.20 of the Revised Code. 1863

**Sec. 3318.04.** (A) If the Ohio school facilities commission 1864  
makes a determination under section 3318.03 of the Revised Code in 1865  
favor of constructing, acquiring, reconstructing, or making 1866  
additions to a classroom facility, the project shall be 1867  
conditionally approved. Such conditional approval shall be 1868  
submitted to the controlling board for approval thereof. The 1869  
controlling board shall forthwith approve or reject the 1870  
commission's determination, conditional approval, the amount of 1871  
the state's portion of the basic project cost, and, ~~if the state's~~ 1872  
~~portion exceeds twenty-five million dollars,~~ the amount of the 1873  
state's portion to be encumbered in the current fiscal biennium. 1874  
In the event of approval thereof by the controlling board, the 1875  
commission shall certify such conditional approval to the school 1876  
district board and shall encumber from the total funds 1877  
appropriated for the purpose of sections 3318.01 to 3318.20 of the 1878  
Revised Code ~~the amount of the state's portion of the basic~~ 1879

~~project cost or, if the state's portion exceeds twenty-five~~ 1880  
~~million dollars,~~ the amount approved under this section to be 1881  
encumbered in the current fiscal biennium. 1882

The basic project cost for a project approved under this 1883  
section shall not exceed the cost that would otherwise have to be 1884  
incurred if the classroom facilities to be constructed, acquired, 1885  
or reconstructed, or the additions to be made to classroom 1886  
facilities, under such project meet, but do not exceed, the 1887  
specifications for plans and materials for classroom facilities 1888  
adopted by the commission. 1889

(B)(1) No school district shall have a project conditionally 1890  
approved pursuant to this section if the school district has 1891  
already received any assistance for a project funded under any 1892  
version of sections 3318.01 to 3318.20 of the Revised Code, and 1893  
the prior project was one for which the electors of such district 1894  
approved a levy within the last twenty years pursuant to any 1895  
version of section 3318.06 of the Revised Code for purposes of 1896  
qualifying for the funding of that project, unless the district 1897  
demonstrates to the satisfaction of the commission that the 1898  
district has experienced since approval of its prior project an 1899  
exceptional increase in enrollment significantly above the 1900  
district's design capacity under that prior project as determined 1901  
by rule of the commission. 1902

(2) Notwithstanding division (B)(1) of this section, any 1903  
school district that received assistance under sections 3318.01 to 1904  
3318.20 of the Revised Code, as those sections existed prior to 1905  
May 20, 1997, may receive additional assistance under those 1906  
sections, as they exist on and after May 20, 1997, prior to the 1907  
expiration of the period of time required under division (B)(1) of 1908  
this section, if the percentile in which the school district is 1909  
located, as determined under section 3318.011 of the Revised Code, 1910  
is eligible for assistance as prescribed in section 3318.02 of the 1911

Revised Code. 1912

The commission may provide assistance under sections 3318.01 1913  
to 3318.20 of the Revised Code pursuant to this division to no 1914  
more than five school districts per fiscal year until all eligible 1915  
school districts have received the additional assistance 1916  
authorized under this division. The commission shall establish 1917  
application procedures, deadlines, and priorities for funding 1918  
projects under this division. 1919

The commission at its discretion may waive current design 1920  
specifications it has adopted for projects under sections 3318.01 1921  
to 3318.20 of the Revised Code when assessing an application for 1922  
additional assistance under this division for the renovation of 1923  
classroom facilities constructed or renovated under a school 1924  
district's previous project. If the commission finds that a school 1925  
district's existing classroom facilities are adequate to meet all 1926  
of the school district's needs, the commission may determine that 1927  
no additional state assistance be awarded to a school district 1928  
under this division. 1929

In order for a school district to be eligible to receive any 1930  
additional assistance under this division, the school district 1931  
electors shall extend the school district's existing levy 1932  
dedicated for maintenance of classroom facilities under Chapter 1933  
3318. of the Revised Code, pursuant to section 3318.061 of the 1934  
Revised Code or shall provide equivalent alternative maintenance 1935  
funds as specified in division ~~(B)~~(A)(2) of section 3318.06 of the 1936  
Revised Code. 1937

(3) Notwithstanding division (B)(1) of this section, any 1938  
school district that has received assistance under sections 1939  
3318.01 to 3318.20 of the Revised Code after May 20, 1997, may 1940  
receive additional assistance if the commission decides in favor 1941  
of providing such assistance pursuant to section 3318.042 of the 1942  
Revised Code. 1943

Sec. 3318.05. The conditional approval of the Ohio school 1944  
facilities commission for a project shall lapse and the amount 1945  
reserved and encumbered for such project shall be released unless 1946  
the school district board accepts such conditional approval within 1947  
one hundred twenty days following the date of certification of the 1948  
conditional approval to the school district board and the electors 1949  
of the school district vote favorably on both of the propositions 1950  
described in divisions (A) and (B) of this section within one year 1951  
of the date of such certification, except that a school district 1952  
described in division (C) of this section does not need to submit 1953  
the proposition described in division (B) of this section. The 1954  
propositions described in divisions (A) and (B) of this section 1955  
shall be combined in a single proposal. If the district board or 1956  
the district's electors fail to meet such requirements and the 1957  
amount reserved and encumbered for the district's project is 1958  
released, the district shall be given first priority for project 1959  
funding as such funds become available. 1960

(A) On the question of issuing bonds of the school district 1961  
board, for the school district's portion of the basic project 1962  
cost, in an amount equal to the school district's portion of the 1963  
basic project cost less any deduction made under section 3318.033 1964  
of the Revised Code and less the amount of the proceeds of any 1965  
securities authorized or to be authorized under division (J) of 1966  
section 133.06 of the Revised Code and dedicated by the school 1967  
district board to payment of the district's portion of the basic 1968  
project cost; and 1969

(B) On the question of levying a tax the proceeds of which 1970  
shall be used to pay the cost of maintaining the classroom 1971  
facilities included in the project. Such tax shall be at the rate 1972  
of not less than one-half mill for each dollar of valuation for a 1973  
period of twenty-three years, subject to any extension approved 1974  
under section 3318.061 of the Revised Code. 1975

(C) If a school district has in place a tax levied under 1976  
section 5705.21 of the Revised Code for general ongoing permanent 1977  
improvements of at least two mills for each dollar of valuation 1978  
and the proceeds of such tax can be used for maintenance, the 1979  
school district need not levy the additional tax required under 1980  
division (B) of this section, provided the school district board 1981  
includes in the agreement entered into under section 3318.08 of 1982  
the Revised Code provisions earmarking an amount from the proceeds 1983  
of that permanent improvement tax for maintenance of classroom 1984  
facilities equivalent to the amount of the additional tax and for 1985  
the equivalent number of years otherwise required under this 1986  
section. 1987

(D) Proceeds of the tax to be used for maintenance of the 1988  
classroom facilities under either division (B) or (C) of this 1989  
section shall be deposited into a separate fund established by the 1990  
school district for such purpose. 1991

Sec. 3318.056. A school district may adopt a resolution 1992  
proposing that any of the following questions be combined with the 1993  
questions specified in divisions (A) and (B) of section 3318.05 of 1994  
the Revised Code: 1995

(A) A bond issue question under section 133.18 of the Revised 1996  
Code; 1997

(B) A tax levy question under section 5705.21 of the Revised 1998  
Code; 1999

(C) A combined bond issue and tax levy question under section 2000  
5705.218 of the Revised Code; 2001

(D) A school district income tax question under section 2002  
5748.08 of the Revised Code. 2003

Any question described in divisions (A) to (D) of this 2004  
section that is combined with a question proposed under divisions 2005

(A) and (B) of section 3318.05 of the Revised Code shall be for 2006  
the purpose of either paying for any permanent improvement as 2007  
defined in section 133.01 of the Revised Code or generating 2008  
operating revenue specifically for the facilities acquired under 2009  
the school district's project under Chapter 3318. of the Revised 2010  
Code or for both to the extent such purposes are permitted by the 2011  
sections of law under which each is proposed. 2012

**Sec. 3318.06.** (A) After receipt of the conditional approval 2013  
of the Ohio school facilities commission, the school district 2014  
board by a majority of all of its members shall, if it desires to 2015  
proceed with the project, declare all of the following by 2016  
resolution: 2017

~~(A)~~(1) That by issuing bonds in an amount equal to the school 2018  
district's portion of the basic project cost, including bonds 2019  
previously authorized by the district's electors as described in 2020  
section 3318.033 of the Revised Code, the district is unable to 2021  
provide adequate classroom facilities without assistance from the 2022  
state; 2023

~~(B)~~(2) Unless the school district board has resolved to apply 2024  
the proceeds of a property tax or the proceeds of an income tax, 2025  
or a combination of proceeds from such taxes, as authorized under 2026  
section 3318.052 of the Revised Code, that to qualify for such 2027  
state assistance it is necessary to do either of the following: 2028

~~(1)~~(a) Levy a tax outside the ten-mill limitation the 2030  
proceeds of which shall be used to pay the cost of maintaining the 2031  
classroom facilities included in the project; 2032

~~(2)~~(b) Earmark for maintenance of classroom facilities from 2033  
the proceeds of an existing permanent improvement tax levied under 2034  
section 5705.21 of the Revised Code, if such tax is of at least 2035  
two mills for each dollar of valuation and can be used for 2036

maintenance, an amount equivalent to the amount of the additional 2037  
tax otherwise required under this section and sections 3318.05 and 2038  
3318.08 of the Revised Code. 2039

~~(C)~~(3) That the question of any tax levy specified in a 2040  
resolution described in division ~~(B)(1)(A)(2)(a)~~ of this section, 2041  
if required, shall be submitted to the electors of the school 2042  
district at the next general or primary election, if there be a 2043  
general or primary election not less than seventy-five and not 2044  
more than ninety-five days after the day of the adoption of such 2045  
resolution or, if not, at a special election to be held at a time 2046  
specified in the resolution which shall be not less than 2047  
seventy-five days after the day of the adoption of the resolution 2048  
and which shall be in accordance with the requirements of section 2049  
3501.01 of the Revised Code. 2050

Such resolution shall also state that the question of issuing 2051  
bonds of the board shall be combined in a single proposal with the 2052  
question of such tax levy. More than one election under this 2053  
section may be held in any one calendar year. Such resolution 2054  
shall specify both of the following: 2055

~~(1)~~(a) That the rate which it is necessary to levy shall be 2056  
at the rate of not less than one-half mill for each one dollar of 2057  
valuation, and that such tax shall be levied for a period of 2058  
twenty-three years; 2059

~~(2)~~(b) That the proceeds of the tax shall be used to pay the 2060  
cost of maintaining the classroom facilities included in the 2061  
project. 2062

(B) A copy of ~~such a~~ resolution adopted under division (A) of 2063  
this section shall after its passage and not less than 2064  
seventy-five days prior to the date set therein for the election 2065  
be certified to the county board of elections. 2066

The resolution of the school district board, in addition to 2067

meeting other applicable requirements of section 133.18 of the Revised Code, shall state that the amount of bonds to be issued will be an amount equal to the school district's portion of the basic project cost, and state the maximum maturity of the bonds which, notwithstanding ~~section 133.20 of the Revised Code~~, may be any number of years not exceeding ~~twenty-three~~ the term calculated under section 133.20 of the Revised Code as determined by the board. In estimating the amount of bonds to be issued, the board shall take into consideration the amount of moneys then in the bond retirement fund and the amount of moneys to be collected for and disbursed from the bond retirement fund during the remainder of the year in which the resolution of necessity is adopted.

If the bonds are to be issued in more than one series, the resolution may state, in addition to the information required to be stated under division (B)(3) of section 133.18 of the Revised Code, the number of series, which shall not exceed five, the principal amount of each series, and the approximate date each series will be issued, and may provide that no series, or any portion thereof, may be issued before such date. Upon such a resolution being certified to the county auditor as required by division (C) of section 133.18 of the Revised Code, the county auditor, in calculating, advising, and confirming the estimated average annual property tax levy under that division, shall also calculate, advise, and confirm by certification the estimated average property tax levy for each series of bonds to be issued.

Notice of the election shall include the fact that the tax levy shall be at the rate of not less than one-half mill for each one dollar of valuation for a period of twenty-three years, and that the proceeds of the tax shall be used to pay the cost of maintaining the classroom facilities included in the project.

If the bonds are to be issued in more than one series, the board of education, when filing copies of the resolution with the

2068  
2069  
2070  
2071  
2072  
2073  
2074  
2075  
2076  
2077  
2078  
2079  
2080  
2081  
2082  
2083  
2084  
2085  
2086  
2087  
2088  
2089  
2090  
2091  
2092  
2093  
2094  
2095  
2096  
2097  
2098  
2099

board of elections as required by division (D) of section 133.18 2100  
of the Revised Code, may direct the board of elections to include 2101  
in the notice of election the principal amount and approximate 2102  
date of each series, the maximum number of years over which the 2103  
principal of each series may be paid, the estimated additional 2104  
average property tax levy for each series, and the first calendar 2105  
year in which the tax is expected to be due for each series, in 2106  
addition to the information required to be stated in the notice 2107  
under division (E)(3)(a) to (e) of section 133.18 of the Revised 2108  
Code. 2109

The (C)(1) Except as otherwise provided in division (C)(2) of 2110  
this section, the form of the ballot to be used at such election 2111  
shall be: 2112

"A majority affirmative vote is necessary for passage. 2113

Shall bonds be issued by the ..... (here insert name 2114  
of school district) school district to pay the local share of 2115  
school construction under the State of Ohio Classroom Facilities 2116  
Assistance Program in the principal amount of ..... (here 2117  
insert principal amount of the bond issue), to be repaid annually 2118  
over a maximum period of ..... (here insert the maximum 2119  
number of years over which the principal of the bonds may be paid) 2120  
years, and an annual levy of property taxes be made outside the 2121  
ten-mill limitation, estimated by the county auditor to average 2122  
over the repayment period of the bond issue ..... (here 2123  
insert the number of mills estimated) mills for each one dollar of 2124  
tax valuation, which amounts to ..... (rate expressed in 2125  
cents or dollars and cents, such as "thirty-six cents" or "\$0.36") 2126  
for each one hundred dollars of tax valuation to pay the annual 2127  
debt charges on the bonds and to pay debt charges on any notes 2128  
issued in anticipation of the bonds?" 2129

and, unless the additional levy 2130

of taxes is not required pursuant 2131

to division (C) of section 2132  
3318.05 of the Revised Code, 2133

"Shall an additional levy of taxes be made for a period of 2134  
twenty-three years to benefit the ..... (here insert name 2135  
of school district) school district, the proceeds of which shall 2136  
be used to pay the cost of maintaining the classroom facilities 2137  
included in the project at the rate of ..... (here insert the 2138  
number of mills, which shall not be less than one-half mill) mills 2139  
for each one dollar of valuation? 2140

2141  
FOR THE BOND ISSUE AND TAX LEVY 2142  
AGAINST THE BOND ISSUE AND TAX LEVY " 2143  
2144

(2) If authority is sought to issue bonds in more than one 2145  
series and the board of education so elects, the form of the 2146  
ballot shall be as prescribed in section 3318.062 of the Revised 2147  
Code. If the board of education elects the form of the ballot 2148  
prescribed in that section, it shall so state in the resolution 2149  
adopted under this section. 2150

(D) If it is necessary for the school district to acquire a 2151  
site for the classroom facilities to be acquired pursuant to 2152  
sections 3318.01 to 3318.20 of the Revised Code, the district 2153  
board may propose either to issue bonds of the board or to levy a 2154  
tax to pay for the acquisition of such site, and may combine the 2155  
question of doing so with the questions specified in division ~~(C)~~ 2156  
(B) of this section. Bonds issued under this division for the 2157  
purpose of acquiring a site are a general obligation of the school 2158  
district and are Chapter 133. securities. 2159

The form of that portion of the ballot to include the 2160  
question of either issuing bonds or levying a tax for site 2161  
acquisition purposes shall be one of the following: 2162

(1) "Shall bonds be issued by the ..... (here insert name of the school district) school district to pay costs of acquiring a site for classroom facilities under the State of Ohio Classroom Facilities Assistance Program in the principal amount of ..... (here insert principal amount of the bond issue), to be repaid annually over a maximum period of ..... (here insert maximum number of years over which the principal of the bonds may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue ..... (here insert number of mills) mills for each one dollar of tax valuation, which amount to ..... (here insert rate expressed in cents or dollars and cents, such as "thirty-six cents" or "\$0.36") for each one hundred dollars of valuation to pay the annual debt charges on the bonds and to pay debt charges on any notes issued in anticipation of the bonds?"

(2) "Shall an additional levy of taxes outside the ten-mill limitation be made for the benefit of the ..... (here insert name of the school district) ..... school district for the purpose of acquiring a site for classroom facilities in the sum of ..... (here insert annual amount the levy is to produce) estimated by the county auditor to average ..... (here insert number of mills) mills for each one hundred dollars of valuation, for a period of ..... (here insert number of years the millage is to be imposed) years?"

Where it is necessary to combine the question of issuing bonds of the school district and levying a tax as described in division ~~(C)~~(B) of this section with the question of issuing bonds of the school district for acquisition of a site, the question specified in that division ~~(C) of this section~~ to be voted on shall be "For the Bond Issues and the Tax Levy" and "Against the Bond Issues and the Tax Levy."

Where it is necessary to combine the question of issuing 2195  
bonds of the school district and levying a tax as described in 2196  
division ~~(C)~~(B) of this section with the question of levying a tax 2197  
for the acquisition of a site, the question specified in that 2198  
division ~~(C)~~ of this section to be voted on shall be "For the Bond 2199  
Issue and the Tax Levies" and "Against the Bond Issue and the Tax 2200  
Levies." 2201

Where the school district board chooses to combine the 2202  
question in division (B) of this section with any of the 2203  
additional questions described in divisions (A) to (D) of section 2204  
3318.056 of the Revised Code, the question specified in division 2205  
(B) of this section to be voted on shall be "For the Bond Issues 2206  
and the Tax Levies" and "Against the Bond Issues and the Tax 2207  
Levies." 2208

If a majority of those voting upon a proposition hereunder 2209  
which includes the question of issuing bonds vote in favor 2210  
thereof, and if the agreement provided for by section 3318.08 of 2211  
the Revised Code has been entered into, the school district board 2212  
may proceed under Chapter 133. of the Revised Code, with the 2213  
issuance of bonds or bond anticipation notes in accordance with 2214  
the terms of the agreement. 2215

**Sec. 3318.061.** This section applies only to school districts 2216  
eligible to receive additional assistance under division (B)(2) of 2217  
section 3318.04 of the Revised Code and to big eight districts 2218  
segmenting projects under section 3318.38 of the Revised Code. 2219

The board of education of a school district in which a tax 2220  
described by division (B) of section 3318.05 and levied under 2221  
section 3318.06 of the Revised Code is in effect, may adopt a 2222  
resolution by vote of a majority of its members to extend the term 2223  
of that tax beyond the expiration of that tax as originally 2224  
approved under that section. The school district board may include 2225

in the resolution a proposal to extend the term of that tax at the 2226  
rate of not less than one-half mill for each dollar of valuation 2227  
for a period of twenty-three years from the year in which the 2228  
school district board and the Ohio school facilities commission 2229  
enter into an agreement under division (B)(2) of section 3318.04 2230  
of the Revised Code or in the following year, as specified in the 2231  
resolution or, as applicable in the case of a district segmenting 2232  
a project under section 3318.38 of the Revised Code, from the year 2233  
in which the last segment is undertaken. Such a resolution may be 2234  
adopted at any time before such an agreement is entered into and 2235  
before the tax levied pursuant to section 3318.06 of the Revised 2236  
Code expires. If the resolution is combined with a resolution to 2237  
issue bonds to pay the school district's portion of the basic 2238  
project cost, it shall conform with the requirements of divisions 2239  
(A), ~~(B)(1)~~, (2), and ~~(C)(3)~~ of section 3318.06 of the Revised 2240  
Code, except that the resolution also shall state that the tax 2241  
levy proposed in the resolution is an extension of an existing tax 2242  
levied under that section. A resolution proposing an extension 2243  
adopted under this section does not take effect until it is 2244  
approved by a majority of electors voting in favor of the 2245  
resolution at a general, primary, or special election as provided 2246  
in this section. 2247

A tax levy extended under this section is subject to the same 2248  
terms and limitations to which the original tax levied under 2249  
section 3318.06 of the Revised Code is subject under that section, 2250  
except the term of the extension shall be as specified in this 2251  
section. 2252

The school district board shall certify a copy of the 2253  
resolution adopted under this section to the proper county board 2254  
of elections not later than seventy-five days before the date set 2255  
in the resolution as the date of the election at which the 2256  
question will be submitted to electors. The notice of the election 2257

shall conform with the requirements of division ~~(C)~~(A)(3) of 2258  
section 3318.06 of the Revised Code, except that the notice also 2259  
shall state that the maintenance tax levy is an extension of an 2260  
existing tax levy. 2261

The form of the ballot shall be as follows: 2262

"Shall the existing tax levied to pay the cost of maintaining 2263  
classroom facilities constructed with the proceeds of the 2264  
previously issued bonds at the rate of ..... (here insert the 2265  
number of mills, which shall not be less than one-half mill) mills 2266  
per dollar of tax valuation, be extended until ..... (here 2267  
insert the year that is twenty-three years after the year in which 2268  
the district and commission will enter into an agreement under 2269  
division (B)(2) of section 3318.04 of the Revised Code or the 2270  
following year)? 2271

FOR EXTENDING THE EXISTING TAX LEVY 2272  
2273

AGAINST EXTENDING THE EXISTING TAX LEVY " 2274  
2275

Section 3318.07 of the Revised Code applies to ballot 2276  
questions under this section. 2277

**Sec. 3318.062.** (A) If authority is sought to issue bonds in 2278  
more than one series to pay the school district's portion of the 2279  
basic project cost under sections 3318.01 to 3318.20 of the 2280  
Revised Code, the form of the ballot shall be: 2281

"Shall bonds be issued by the ..... (here insert name of 2282  
school district) school district to pay the local share of school 2283  
construction under the State of Ohio Classroom Facilities 2284  
Assistance Program in the total principal amount of ..... 2285  
(total principal amount of the bond issue), to be issued in ..... 2286  
(number of series) series, each series to be repaid annually over 2287

not more than ..... (maximum number of years over which the 2288  
principal of each series may be paid) years, and an annual levy of 2289  
property taxes be made outside the ten-mill limitation to pay the 2290  
annual debt charges on the bonds and on any notes issued in 2291  
anticipation of the bonds, at a rate estimated by the county 2292  
auditor to average over the repayment period of each series as 2293  
follows: ..... (insert the following for each series: "the 2294  
..... series, in a principal amount of ..... dollars, 2295  
requiring ..... mills per dollar of tax valuation, which amounts 2296  
to ..... (rate expressed in cents or dollars and cents, such as 2297  
"36 cents" or "\$1.41") for each one hundred dollars in tax 2298  
valuation, commencing in ..... and first payable in 2299  
.....)?" 2300

and, unless the additional levy 2301  
of taxes is not required pursuant 2302  
to division (C) of section 2303  
3318.05 of the Revised Code, 2304

"Shall an additional levy of taxes be made for a period of 2306  
twenty-three years to benefit the ..... (here insert name of 2307  
school district) school district, the proceeds of which shall be 2308  
used to pay the cost of maintaining the classroom facilities 2309  
included in the project at the rate of ..... (here insert the 2310  
number of mills, which shall not be less than one-half mill) mills 2311  
for each one dollar of valuation? 2312

For the bond issue 2314  
Against the bond issue       " 2315

(B) If it is necessary for the school district to acquire a 2317  
site for the classroom facilities to be acquired pursuant to 2318  
sections 3318.01 to 3318.20 of the Revised Code, the district 2319

board may propose either to issue bonds of the board or to levy a 2320  
tax to pay for the acquisition of such site, and may combine the 2321  
question of doing so with the questions specified in division (A) 2322  
of this section. Bonds issued under this division for the purpose 2323  
of acquiring a site are a general obligation of the school 2324  
district and are Chapter 133. securities. 2325

The form of that portion of the ballot to include the 2326  
question of either issuing bonds or levying a tax for site 2327  
acquisition purposes shall be one of the forms prescribed in 2328  
division (D) of section 3318.06 of the Revised Code. 2329

(C) Where the school district board chooses to combine the 2330  
question in division (A) of this section with any of the 2331  
additional questions described in divisions (A) to (D) of section 2332  
3318.056 of the Revised Code, the question specified in division 2333  
(A) of this section to be voted on shall be "For the Bond Issues 2334  
and the Tax Levies" and "Against the Bond Issues and the Tax 2335  
Levies." 2336

(D) If a majority of those voting upon a proposition 2337  
prescribed in this section which includes the question of issuing 2338  
bonds vote in favor of that issuance, and if the agreement 2339  
prescribed in section 3318.08 of the Revised Code has been entered 2340  
into, the school district board may proceed under Chapter 133. of 2341  
the Revised Code with the issuance of bonds or bond anticipation 2342  
notes in accordance with the terms of the agreement. 2343

**Sec. 3318.08.** If the requisite favorable vote on the election 2344  
is obtained, or if the school district board has resolved to apply 2345  
the proceeds of a property tax levy or the proceeds of an income 2346  
tax, or a combination of proceeds from such taxes, as authorized 2347  
in section 3318.052 of the Revised Code, the Ohio school 2348  
facilities commission, upon certification to it of either the 2349  
results of the election or the resolution under section 3318.052 2350

of the Revised Code, shall enter into a written agreement with the 2351  
school district board for the construction and sale of the 2352  
project, which agreement shall include, but need not be limited 2353  
to, the following provisions: 2354

(A) The sale and issuance of bonds or notes in anticipation 2355  
thereof, as soon as practicable after the execution of the 2356  
agreement, in an amount equal to the school district's portion of 2357  
the basic project cost, including any bonds previously authorized 2358  
by the district's electors as described in section 3318.033 of the 2359  
Revised Code and any securities authorized under division (J) of 2360  
section 133.06 of the Revised Code and dedicated by the school 2361  
district board to payment of the district's portion of the basic 2362  
project cost of the project; provided, that if at that time the 2363  
county treasurer of each county in which the school district is 2364  
located has not commenced the collection of taxes on the general 2365  
duplicate of real and public utility property for the year in 2366  
which the controlling board approved the project, the school 2367  
district board shall authorize the issuance of a first installment 2368  
of bond anticipation notes in an amount specified by the 2369  
agreement, which amount shall not exceed an amount necessary to 2370  
raise the net bonded indebtedness of the school district as of the 2371  
date of the controlling board's approval to within five thousand 2372  
dollars of the required level of indebtedness for the preceding 2373  
year. In the event that a first installment of bond anticipation 2374  
notes is issued, the school district board shall, as soon as 2375  
practicable after the county treasurer of each county in which the 2376  
school district is located has commenced the collection of taxes 2377  
on the general duplicate of real and public utility property for 2378  
the year in which the controlling board approved the project, 2379  
authorize the issuance of a second and final installment of bond 2380  
anticipation notes or a first and final issue of bonds. 2381

The combined value of the first and second installment of 2382

bond anticipation notes or the value of the first and final issue 2383  
of bonds shall be equal to the school district's portion of the 2384  
basic project cost. The proceeds of any such bonds shall be used 2385  
first to retire any bond anticipation notes. Otherwise, the 2386  
proceeds of such bonds and of any bond anticipation notes, except 2387  
the premium and accrued interest thereon, shall be deposited in 2388  
the school district's project construction fund. In determining 2389  
the amount of net bonded indebtedness for the purpose of fixing 2390  
the amount of an issue of either bonds or bond anticipation notes, 2391  
gross indebtedness shall be reduced by moneys in the bond 2392  
retirement fund only to the extent of the moneys therein on the 2393  
first day of the year preceding the year in which the controlling 2394  
board approved the project. Should there be a decrease in the tax 2395  
valuation of the school district so that the amount of 2396  
indebtedness that can be incurred on the tax duplicates for the 2397  
year in which the controlling board approved the project is less 2398  
than the amount of the first installment of bond anticipation 2399  
notes, there shall be paid from the school district's project 2400  
construction fund to the school district's bond retirement fund to 2401  
be applied against such notes an amount sufficient to cause the 2402  
net bonded indebtedness of the school district, as of the first 2403  
day of the year following the year in which the controlling board 2404  
approved the project, to be within five thousand dollars of the 2405  
required level of indebtedness for the year in which the 2406  
controlling board approved the project. The maximum amount of 2407  
indebtedness to be incurred by any school district board as its 2408  
share of the cost of the project is either an amount that will 2409  
cause its net bonded indebtedness, as of the first day of the year 2410  
following the year in which the controlling board approved the 2411  
project, to be within five thousand dollars of the required level 2412  
of indebtedness, or an amount equal to the required percentage of 2413  
the basic project costs, whichever is greater. All bonds and bond 2414  
anticipation notes shall be issued in accordance with Chapter 133. 2415

of the Revised Code, and notes may be renewed as provided in 2416  
section 133.22 of the Revised Code. 2417

(B) The transfer of such funds of the school district board 2418  
available for the project, together with the proceeds of the sale 2419  
of the bonds or notes, except premium, accrued interest, and 2420  
interest included in the amount of the issue, to the school 2421  
district's project construction fund; 2422

(C) If section 3318.052 of the Revised Code applies, the 2423  
earmarking of the proceeds of a tax levied under section 5705.21 2424  
of the Revised Code for general ongoing permanent or under section 2425  
5705.218 of the Revised Code for the purpose of permanent 2426  
improvements, or the proceeds of a school district income tax 2427  
levied under Chapter 5748. of the Revised Code, or the proceeds 2428  
from a combination of those two taxes, in an amount to pay all or 2429  
part of the service charges on bonds issued to pay the school 2430  
district portion of the project and an amount equivalent to all or 2431  
part of the tax required under division (B) of section 3318.05 of 2432  
the Revised Code. 2433

~~(C)~~(D) If section 3318.052 of the Revised Code does not 2434  
apply, either of the following: 2435

(1) The levy of the tax authorized at the election for the 2436  
payment of maintenance costs, as specified in division (B) of 2437  
section 3318.05 of the Revised Code; 2438

(2) If the school district electors have approved a 2439  
continuing tax of at least two mills for each dollar of valuation 2440  
for general ongoing permanent improvements under section 5705.21 2441  
of the Revised Code and that tax can be used for maintenance, the 2442  
earmarking of an amount of the proceeds from such tax for 2443  
maintenance of classroom facilities as specified in division (B) 2444  
of section 3318.05 of the Revised Code. 2445

~~(D)~~(E) Dedication of any local donated contribution as 2446

provided for under section 3318.084 of the Revised Code, including 2447  
a schedule for depositing such moneys applied as an offset of the 2448  
district's obligation to levy the tax described in division (B) of 2449  
section 3318.05 of the Revised Code as required under division 2450  
(D)(2) of section 3318.084 of the Revised Code. 2451

(F) Ownership of or interest in the project during the period 2452  
of construction, which shall be divided between the commission and 2453  
the school district board in proportion to their respective 2454  
contributions to the school district's project construction fund; 2455  
2456

~~(E)~~(G) Maintenance of the state's interest in the project 2457  
until any obligations issued for the project under section 3318.26 2458  
of the Revised Code are no longer outstanding; 2459

~~(F)~~(H) The insurance of the project by the school district 2460  
from the time there is an insurable interest therein and so long 2461  
as the state retains any ownership or interest in the project 2462  
pursuant to division ~~(D)~~(F) of this section, in such amounts and 2463  
against such risks as the commission shall require; provided, that 2464  
the cost of any required insurance until the project is completed 2465  
shall be a part of the basic project cost; 2466

~~(G)~~(I) The certification by the director of budget and 2467  
management that funds are available and have been set aside to 2468  
meet the state's share of the basic project cost as approved by 2469  
the controlling board pursuant to section 3318.04 of the Revised 2470  
Code; 2471

~~(H)~~(J) Authorization of the school district board to 2472  
advertise for and receive construction bids for the project, for 2473  
and on behalf of the commission, and to award contracts in the 2474  
name of the state subject to approval by the commission; 2475

~~(I)~~(K) Provisions for the disbursement of moneys from the 2476  
school district's project account upon issuance by the commission 2477

or the commission's designated representative of vouchers for work 2478  
done to be certified to the commission by the treasurer of the 2479  
school district board; 2480

~~(J)~~(L) Disposal of any balance left in the school district's 2481  
project construction fund upon completion of the project; 2482

~~(K)~~(M) Limitations upon use of the project or any part of it 2483  
so long as any obligations issued to finance the project under 2484  
section 3318.26 of the Revised Code are outstanding; 2485

~~(L)~~(N) Provision for vesting the state's interest in the 2486  
project to the school district board when the obligations issued 2487  
to finance the project under section 3318.26 of the Revised Code 2488  
are outstanding; 2489

~~(M)~~(O) Provision for deposit of an executed copy of the 2490  
agreement in the office of the commission; 2491

~~(N)~~(P) Provision for termination of the contract and release 2492  
of the funds encumbered at the time of the conditional approval, 2493  
if the proceeds of the sale of the bonds of the school district 2494  
board are not paid into the school district's project construction 2495  
fund and if bids for the construction of the project have not been 2496  
taken within such period after the execution of the agreement as 2497  
may be fixed by the commission; 2498

~~(O)~~(Q) Provision for the school district to maintain the 2499  
project in accordance with a plan approved by the commission; 2500

~~(P)~~ Provision (R)(1) For all school districts except those 2501  
undertaking a project under section 3318.38 of the Revised Code, 2502  
provision that all state funds reserved and encumbered to pay the 2503  
state share of the cost of the project pursuant to section 3318.03 2504  
of the Revised Code be spent on the construction or acquisition of 2505  
the project prior to the expenditure of any funds provided by the 2506  
school district to pay for its share of the project cost, unless 2507  
the school district certifies to the commission that expenditure 2508

by the school district is necessary to maintain the tax-exempt 2509  
status of notes or bonds issued by the school district to pay for 2510  
its share of the project cost or to comply with applicable 2511  
temporary investment periods or spending exceptions to rebate as 2512  
provided for under federal law in regard to those notes or bonds, 2513  
in which ~~case~~ cases, the school district may commit to spend, or 2514  
spend, a portion of the funds it provides; 2515

(2) For school districts undertaking a project under section 2516  
3318.38 of the Revised Code, provision that the state funds 2517  
reserved and encumbered and the funds provided by the school 2518  
district to pay the basic project cost of any segment of the 2519  
project, or of the entire project if it is not divided into 2520  
segments, be spent on the construction and acquisition of the 2521  
project simultaneously in proportion to the state's and the school 2522  
district's respective shares of that basic project cost as 2523  
determined under section 3318.032 of the Revised Code. 2524

~~(Q)~~(S) A provision stipulating that the commission may 2525  
prohibit the district from proceeding with any project if the 2526  
commission determines that the site is not suitable for 2527  
construction purposes. The commission may perform soil tests in 2528  
its determination of whether a site is appropriate for 2529  
construction purposes. 2530

~~(R)~~(T) A provision stipulating that, unless otherwise 2531  
authorized by the commission, any contingency reserve portion of 2532  
the construction budget prescribed by the commission shall be used 2533  
only to pay costs resulting from unforeseen job conditions, to 2534  
comply with rulings regarding building and other codes, to pay 2535  
costs related to design clarifications or corrections to contract 2536  
documents, and to pay the costs of settlements or judgments 2537  
related to the project as provided under section 3318.086 of the 2538  
Revised Code. 2539

**Sec. 3318.084.** (A) Notwithstanding anything to the contrary 2540  
in Chapter 3318. of the Revised Code, a school district board may 2541  
apply any local donated contribution toward either or both of the 2542  
following: 2543

(1) The district's portion of the basic project cost of a 2544  
project under sections 3318.01 to 3318.20 of the Revised Code to 2545  
reduce the amount of bonds the district otherwise must issue in 2546  
order to receive state assistance under those sections; 2547

(2) An offset of all or part of a district's obligation to 2548  
levy the tax described in division (B) of section 3318.05 of the 2549  
Revised Code, which shall be applied only in the manner prescribed 2550  
in division (B) of this section. 2551

(B) No school district board shall apply any local donated 2552  
contribution under division (A)(2) of this section unless the Ohio 2553  
school facilities commission first approves that application. 2554

Upon the request of the school district board to apply local 2555  
donated contribution under division (A)(2) of this section, the 2556  
commission in consultation with the department of taxation shall 2557  
determine the amount of total revenue that likely would be 2558  
generated by one-half mill of the tax described in division (B) of 2559  
section 3318.05 of the Revised Code over the entire 2560  
twenty-three-year period required under that section and shall 2561  
deduct from that amount any amount of local donated contribution 2562  
that the board has committed to apply under division (A)(2) of 2563  
this section. The commission then shall determine in consultation 2564  
with the department of taxation the rate of tax over twenty-three 2565  
years necessary to generate the amount of a one-half mill tax not 2566  
offset by the local donated contribution. Notwithstanding anything 2567  
to the contrary in section 3318.06, 3318.061, or 3318.361 of the 2568  
Revised Code, the rate determined by the commission shall be the 2569  
rate for which the district board shall seek elector approval 2570  
under those sections to meet its obligation under division (B) of 2571

section 3318.05 of the Revised Code. In the case of a complete  
offset of the district's obligation under division (B) of section  
3318.05 of the Revised Code, the district shall not be required to  
levy the tax otherwise required under that section. At the end of  
the twenty-three-year period of the tax required under division  
(B) of section 3318.05 of the Revised Code, whether or not the tax  
is actually levied, the commission in consultation of the  
department of taxation shall recalculate the amount that would  
have been generated by the tax if it had been levied at one-half  
mill. If the total amount actually generated over that period from  
both the tax that was actually levied and any local donated  
contribution applied under division (A)(2) of this section is less  
than the amount that would have been raised by a one-half mill  
tax, the district shall pay any difference. If the total amount  
actually raised in such manner is greater than the amount that  
would have been raised by a one-half mill tax the difference shall  
be zero and no payments shall be made by either the district or  
the commission.

(C) As used in this section, "local donated contribution"  
means ~~either~~ any of the following:

(1) Any moneys irrevocably donated or granted to a school  
district board by a source other than the state which the board  
has the authority to apply to the school district's project under  
sections 3318.01 to 3318.20 of the Revised Code and which the  
board has pledged for that purpose by resolution adopted by a  
majority of its members;

(2) Any irrevocable letter of credit issued on behalf of a  
school district or any cash a school district has on hand,  
including any year-end operating fund balances, that can be spent  
for classroom facilities, either of which the school district  
board has encumbered for payment of the school district's share of  
its project under sections 3318.01 to 3318.20 of the Revised Code

and either of which has been approved by the commission in 2604  
consultation with the department of education; 2605

(3) Any moneys spent by a source other than the school 2606  
district or the state for construction or renovation of specific 2607  
classroom facilities that have been approved by the commission as 2608  
part of the basic project cost of the district's project. The 2609  
school district, the commission, and the entity providing the 2610  
local donated contribution under division (C) (3) of this section 2611  
shall enter into an agreement indentifying the classroom 2612  
facilities to be acquired by the expenditures made by that entity. 2613  
The agreement shall include, but not be limited to, stipulations 2614  
that require an audit by the commission of such expenditures made 2615  
on behalf of the district and that specify the maximum amount of 2616  
credit to be allowed for those expenditures. Upon completion of 2617  
the construction or renovation, the commission shall determine the 2618  
actual amount that the commission will credit, at the request of 2619  
the district board, toward the district's portion of the basic 2620  
project cost, any project cost overruns, or the basic project cost 2621  
of future segments if the project has been divided into segments 2622  
under section 3318.38 of the Revised Code. The actual amount of 2623  
the credit shall not exceed the lesser of the amount specified in 2624  
the agreement or the actual cost of the construction or 2625  
renovation. 2626

(D) No state moneys shall be released for a project to which 2627  
this section applies until ~~any~~: 2628

(1) Any local donated contribution authorized under division 2629  
(A)(1) of this section is first deposited into the school 2630  
district's project construction fund, if applied under division 2631  
(A)(1) of this section, or into the district's capital and 2632  
maintenance fund if applied under division (A)(2) of this section. 2633

(2) The school district board and the commission have 2634  
included a stipulation in their agreement entered into under 2635

section 3318.08 of the Revised Code under which the board will 2636  
deposit into a fund approved by the commission according to a 2637  
schedule that does not extend beyond the anticipated completion 2638  
date of the project the total amount of any local donated 2639  
contribution authorized under division (A)(2) of this section and 2640  
dedicated by the board for that purpose. 2641

However, if any local donated contribution as described in 2642  
division (C) (3) of this section has been approved under this 2643  
section, the state moneys may be released even if the entity 2644  
providing that local donated contribution has not spent the moneys 2645  
so dedicated as long as the agreement required under that section 2646  
has been executed. 2647

**Sec. 3318.11.** ~~For any project for which the state's portion~~ 2649  
~~of the basic project cost exceeds twenty-five million dollars~~ 2650  
undertaken with financial assistance from the state under this 2651  
chapter, the amount of state appropriations to be encumbered for 2652  
the project in each fiscal biennium shall be determined by the 2653  
Ohio school facilities commission based on the project's estimated 2654  
construction schedule for that biennium. In each fiscal biennium 2655  
subsequent to the first biennium in which state appropriations are 2656  
encumbered for the project, the project has priority for state 2657  
funds over projects for which initial state funding is sought. 2658

**Sec. 3318.36.** (A) As used in this section: 2659

(1) "Ohio school facilities commission," "classroom 2660  
facilities," "school district," "school district board," "net 2661  
bonded indebtedness," "required percentage of the basic project 2662  
costs," "basic project cost," "valuation," and "percentile" have 2663  
the same meanings as in section 3318.01 of the Revised Code. 2664

(2) "Required level of indebtedness" means five per cent of 2665

the school district's valuation for the year preceding the year in 2666  
which the commission and school district enter into an agreement 2667  
under division (B) of this section, plus [two one-hundredths of 2668  
one per cent multiplied by (the percentile in which the district 2669  
ranks in the fiscal year the commission and the school district 2670  
enter into such agreement minus one)]. 2671

(3) "Local resources" means any moneys generated in any 2672  
manner permitted for a school district board to raise the school 2673  
district portion of a project undertaken with assistance under 2674  
sections 3318.01 to 3318.20 of the Revised Code. 2675

(B)(1) There is hereby established the school building 2676  
assistance expedited local partnership program. Under the program, 2677  
the Ohio school facilities commission may enter into an agreement 2678  
with the school district board of any school district under which 2679  
the school district board may proceed with the new construction or 2680  
major repairs of a part of the school district's classroom 2681  
facilities needs, as determined under sections 3318.01 to 3318.20 2682  
of the Revised Code, through the expenditure of local resources 2683  
prior to the school district's eligibility for state assistance 2684  
under sections 3318.01 to 3318.20 of the Revised Code and may 2685  
apply that expenditure toward meeting the school district's 2686  
portion of the basic project cost of the total of the school 2687  
district's classroom facilities needs, as determined under 2688  
sections 3318.01 to 3318.20 of the Revised Code and as 2689  
recalculated under division (E) of this section, that are eligible 2690  
for state assistance under sections 3318.01 to 3318.20 of the 2691  
Revised Code when the school district becomes eligible for such 2692  
state assistance. Any school district that is reasonably expected 2693  
to receive assistance under sections 3318.01 to 3318.20 of the 2694  
Revised Code within two fiscal years from the date the school 2695  
district adopts its resolution under division (B) of this section 2696  
shall not be eligible to participate in the program. 2697

(2) To participate in the program, a school district board 2698  
shall first adopt a resolution certifying to the commission the 2699  
board's intent to participate in the program. 2700

The resolution shall specify the approximate date that the 2701  
board intends to seek elector approval of any bond or tax measures 2702  
or to apply other local resources to use to pay the cost of 2703  
classroom facilities to be constructed under this section. The 2704  
resolution may specify the application of local resources or 2705  
elector-approved bond or tax measures after the resolution is 2706  
adopted by the board, and in such case the board may proceed with 2707  
a discrete portion of its project under this section as soon as 2708  
the commission and the controlling board have approved the basic 2709  
project cost of the district's classroom facilities needs as 2710  
specified in division (D) of this section. The board shall submit 2711  
its resolution to the commission not later than ten days after the 2712  
date the resolution is adopted by the board. 2713

The commission shall not consider any resolution that is 2714  
submitted pursuant to division (B)(2) of this section, as amended 2715  
by this amendment, sooner than September 14, 2000. 2716

(3) Any project under this section shall comply with section 2717  
3318.03 of the Revised Code and with any specifications for plans 2718  
and materials for classroom facilities adopted by the commission 2719  
under section 3318.04 of the Revised Code. 2720

(4) If a school district that enters into an agreement under 2721  
this section has not begun a project applying local resources as 2722  
provided for under that agreement at the time the district is 2723  
notified by the commission that it is eligible to receive state 2724  
assistance under sections 3318.01 to 3318.20 of the Revised Code, 2725  
all assessment and agreement documents entered into under this 2726  
section are void. 2727

(5) Only construction of or repairs to classroom facilities 2728

that have been approved by the commission and have been therefore 2729  
included as part of a district's basic project cost qualify for 2730  
application of local resources under this section. 2731

(C) Based on the results of the on-site visits and assessment 2732  
conducted under division (B)(2) of this section, the commission 2733  
shall determine the basic project cost of the school district's 2734  
classroom facilities needs. The commission shall determine the 2735  
school district's portion of such basic project cost, which shall 2736  
be the greater of: 2737

(1) The required percentage of the basic project costs, 2738  
determined based on the school district's percentile ranking in 2739  
the fiscal year the commission and the school district enter into 2740  
the agreement under division (B) of this section; 2741

(2) An amount necessary to raise the school district's net 2742  
bonded indebtedness, as of the fiscal year the commission and the 2743  
school district enter into the agreement under division (B) of 2744  
this section, to within five thousand dollars of the required 2745  
level of indebtedness. 2746

(D)(1) When the commission determines the basic project cost 2747  
of the classroom facilities needs of a school district and the 2748  
school district's portion of that basic project cost under 2749  
division (C) of this section, the project shall be conditionally 2750  
approved. Such conditional approval shall be submitted to the 2751  
controlling board for approval thereof. The controlling board 2752  
shall forthwith approve or reject the commission's determination, 2753  
conditional approval, and the amount of the state's portion of the 2754  
basic project cost; however, no state funds shall be encumbered 2755  
under this section. Upon approval by the controlling board, the 2756  
school district board may identify a discrete part of its 2757  
classroom facilities needs, which shall include only new 2758  
construction of or additions or major repairs to a particular 2759  
building, to address with local resources. Upon identifying a part 2760

of the school district's basic project cost to address with local  
resources, the school district board may allocate any available  
school district moneys to pay the cost of that identified part,  
including the proceeds of an issuance of bonds if approved by the  
electors of the school district.

2761  
2762  
2763  
2764  
2765

All local resources utilized under this division shall first  
be deposited in the project construction account required under  
section 3318.08 of the Revised Code.

2766  
2767  
2768

(2) Unless the school district board exercises its option  
under division (D)(3) of this section, for a school district to  
qualify for participation in the program authorized under this  
section, either one of the following conditions shall be  
satisfied:

2769  
2770  
2771  
2772  
2773

(a) The electors of the school district by a majority vote  
shall approve the levy of taxes outside the ten-mill limitation  
for a period of twenty-three years at the rate of not less than  
one-half mill for each dollar of valuation to be used to pay the  
cost of maintaining the classroom facilities included in the basic  
project cost as determined by the commission. The form of the  
ballot to be used to submit the question whether to approve the  
tax required under this division to the electors of the school  
district shall be the form for an additional levy of taxes  
prescribed in section 3318.361 of the Revised Code, which may be  
combined in a single ballot question with the questions prescribed  
under section 5705.218 of the Revised Code.

2774  
2775  
2776  
2777  
2778  
2779  
2780  
2781  
2782  
2783  
2784  
2785

(b) As authorized under division (C) of section 3318.05 of  
the Revised Code, the school district board shall earmark from the  
proceeds of a permanent improvement tax levied under section  
5705.21 of the Revised Code, an amount equivalent to the  
additional tax otherwise required under division (D)(2)(a) of this  
section for the maintenance of the classroom facilities included  
in the basic project cost as determined by the commission.

2786  
2787  
2788  
2789  
2790  
2791  
2792

(c) The school district board shall apply the proceeds of a tax to leverage bonds as authorized under section 3318.052 of the Revised Code or dedicate a local donated contribution in the manner described in division (B) of section 3318.084 of the Revised Code in an amount equivalent to the additional tax otherwise required under division (D)(2)(a) of this section for the maintenance of the classroom facilities included in the basic project cost as determined by the commission.

(3) A school district board may opt to delay levying the additional tax required under division (D)(2)(a) of this section or earmarking of the proceeds of a permanent improvement tax alternatively required under division (D)(2)(b) of this section until such time as the school district becomes eligible for state assistance under sections 3318.01 to 3318.20 of the Revised Code. In order to exercise its option under this division, the board shall certify to the commission a resolution indicating the board's intent to do so prior to entering into an agreement under division (B) of this section.

(4) If pursuant to division (D)(3) of this section a district board opts to delay levying an additional tax until the district becomes eligible for state assistance, it shall submit the question of levying that tax to the district electors as follows:

(a) In accordance with section 3318.06 of the Revised Code if it will also be necessary pursuant to division (E) of this section to submit a proposal for approval of a bond issue;

(b) In accordance with section 3318.361 of the Revised Code if it is not necessary to also submit a proposal for approval of a bond issue pursuant to division (E) of this section.

(5) No state assistance under sections 3318.01 to 3318.20 of the Revised Code shall be released until a school district board

that adopts and certifies a resolution under this division either 2824  
has levied the additional tax or has earmarked the proceeds of a 2825  
tax as specified in division (D) of this section. 2826

Any amount required for maintenance under division (D)(2) of 2827  
this section shall be deposited into a separate fund as specified 2828  
in division (B) of section 3318.05 of the Revised Code. 2829

(E)(1) If the school district becomes eligible for state 2830  
assistance under sections 3318.01 to 3318.20 of the Revised Code 2831  
based on its percentile ranking as determined under division (B) 2832  
of this section, the commission shall conduct a new assessment of 2833  
the school district's classroom facilities needs and shall 2834  
recalculate the basic project cost based on this new assessment. 2835  
The basic project cost recalculated under this division shall 2836  
include the amount of expenditures made by the school district 2837  
board under division (D)(1) of this section. The commission shall 2838  
then recalculate the school district's portion of the new basic 2839  
project cost, which shall be the percentage of the original basic 2840  
project cost assigned to the school district as its portion under 2841  
division (C) of this section. The commission shall deduct the 2842  
expenditure of school district moneys made under division (D)(1) 2843  
of this section from the school district's portion of the basic 2844  
project cost as recalculated under this division. If the amount of 2845  
school district resources applied by the school district board to 2846  
the school district's portion of the basic project cost under this 2847  
section is less than the total amount of such portion as 2848  
recalculated under this division, the school district board by a 2849  
majority vote of all of its members shall, if it desires to seek 2850  
state assistance under sections 3318.01 to 3318.20 of the Revised 2851  
Code, adopt a resolution as specified in section 3318.06 of the 2852  
Revised Code to submit to the electors of the school district the 2853  
question of approval of a bond issue in order to pay any 2854  
additional amount of school district portion required for state 2855

assistance. Any tax levy approved under division (D) of this 2856  
section satisfies the requirements to levy the additional tax 2857  
under section 3318.06 of the Revised Code. 2858

(2) If the amount of school district resources applied by the 2859  
school district board to the school district's portion of the 2860  
basic project cost under this section is more than the total 2861  
amount of such portion as recalculated under this division, within 2862  
one year after the school district's portion is recalculated under 2863  
division (E)(1) of this section the commission may grant to the 2864  
school district the difference between the two calculated 2865  
portions, but at no time shall the commission expend any state 2866  
funds on a project in an amount greater than the state's portion 2867  
of the basic project cost as recalculated under this division. 2868

Any reimbursement under this division shall be only for local 2869  
resources the school district has applied toward construction cost 2870  
expenditures for the classroom facilities approved by the 2871  
commission, which shall not include any financing costs associated 2872  
with that construction. 2873

The school district board shall use any moneys reimbursed to 2874  
the district under this division to pay off any debt service the 2875  
district owes for classroom facilities constructed under its 2876  
project under this section before such moneys are applied to any 2877  
other purpose. 2878

**Sec. 3318.362.** This section applies only to a school district 2879  
that participates in the school building assistance expedited 2880  
local partnership program under section 3318.36 of the Revised 2881  
Code. 2882

~~Notwithstanding the twenty-three year maximum maturity for 2883  
bonds proposed to be issued by a school district board for a 2884  
classroom facilities project pursuant to division (C) of section 2885  
3318.06 of the Revised Code, a A school district board that enters 2886~~

into an agreement with the Ohio school facilities commission under 2887  
division (B) of section 3318.36 of the Revised Code may propose 2888  
for issuance any bonds necessary for its participation in the 2889  
program under section 3318.36 of the Revised Code for ~~a term~~ 2890  
~~longer than twenty-three years but not to exceed~~ any number of 2891  
years not exceeding the term calculated pursuant to section 133.20 2892  
of the Revised Code. Any moneys received from the state under 2893  
division (E)(2) of section 3318.36 of the Revised Code shall be 2894  
applied, as agreed in writing by the school district board and the 2895  
commission, to pay debt service on outstanding bonds or bond 2896  
anticipation notes issued by the school district board for its 2897  
participation in the expedited local partnership program, 2898  
including by placing those moneys in an applicable escrow fund 2899  
under division (D) of section 133.34 of the Revised Code. 2900

**Sec. 3318.363.** (A) This section applies beginning in fiscal 2901  
year 2003 and only to a school district participating in the 2902  
school building assistance expedited local partnership program 2903  
under section 3318.36 of the Revised Code. 2904

(B) If there is a decrease in the tax valuation of a school 2905  
district to which this section applies by ten per cent or greater 2906  
from one tax year to the next due to a decrease in the assessment 2907  
rate of the taxable property of an electric company that owns 2908  
property in the district, as provided for in section 5727.111 of 2909  
the Revised Code as amended by Am. Sub. S.B. 3 of the 123rd 2910  
General Assembly, the Ohio school facilities commission shall 2911  
calculate or recalculate the state and school district portions of 2912  
the basic project cost of the school district's project by 2913  
determining the percentile rank in which the district would be 2914  
located if such ranking were made using the ~~current year adjusted~~ 2915  
~~valuation per pupil, as calculated and reported to the commission~~ 2916  
~~by the department of education under division (A) of section~~ 2917  
~~3318.011 of the Revised Code,~~ adjusted valuation per pupil 2918

calculated under division (C) of this section rather than the 2919  
three-year average adjusted valuation per pupil, calculated under 2920  
division (B) of ~~that~~ section 3318.011 of the Revised Code. For 2921  
such district, the required percentage of the basic project cost 2922  
used to determine the state and school district shares of that 2923  
cost under division (C) of section 3318.36 of the Revised Code 2924  
shall be based on the percentile rank as calculated under this 2925  
section rather than as otherwise provided in division (C)(1) of 2926  
section 3318.36 of the Revised Code. If the commission has 2927  
determined the state and school district portion of the basic 2928  
project cost of such a district's project under section 3318.36 of 2929  
the Revised Code prior to that decrease in tax valuation, the 2930  
commission shall adjust the state and school district shares of 2931  
the basic project cost of such project in accordance with this 2932  
section. 2933

(C)(1) As used in divisions (C) and (D) of this section, 2934  
"total taxable value," "formula ADM," and "income factor" have the 2935  
same meanings as in section 3317.02 of the Revised Code. 2936

(2) The adjusted valuation per pupil for a school district to 2937  
which this section applies shall be calculated using the following 2938  
formula: 2939

(The district's total taxable value for the tax year 2940  
preceding the calendar year in which the current fiscal year 2941  
begins / the district's formula ADM for the previous fiscal year) 2942  
- [\$30,000 x (1 - the district's income factor)]. 2943

(D) At the request of the Ohio school facilities commission, 2944  
the department of education shall report a district's total 2945  
taxable value for the tax year preceding the calendar year in 2946  
which the current fiscal year begins for any district to which 2947  
this section applies as that information has been certified to the 2948  
department by the tax commissioner pursuant to section 3317.021 of 2949  
the Revised Code. 2950

Sec. 3318.38. (A) As used in this section, "big-eight school district" has the same meaning as in section 3314.02 of the Revised Code.

(B) There is hereby established the accelerated urban school building assistance program. Under the program, notwithstanding section 3318.02 of the Revised Code, any big-eight school district that has not been approved to receive assistance under sections 3318.01 to 3318.20 of the Revised Code by July 1, 2002, may beginning on that date apply for approval of and be approved for such assistance. Except as otherwise provided in this section, any project approved and undertaken pursuant to this section shall comply with all provisions of sections 3318.01 to 3318.20 of the Revised Code.

The Ohio school facilities commission shall provide assistance to any big-eight school district eligible for assistance under this section in the following manner:

(1) Notwithstanding section 3318.02 of the Revised Code:

(a) Not later than June 30, 2002, the commission shall conduct an on-site visit and shall assess the classroom facilities needs of each big-eight school district eligible for assistance under this section;

(b) Beginning July 1, 2002, any big-eight school district eligible for assistance under this section may apply to the commission for conditional approval of its project as determined by the assessment conducted under division (B)(1)(a) of this section. The commission may conditionally approve that project and submit it to the controlling board for approval pursuant to section 3318.04 of the Revised Code.

(2) If the controlling board approves the project of a big-eight school district eligible for assistance under this

section, the commission and the school district shall enter into  
an agreement as prescribed in section 3318.08 of the Revised Code.  
Any agreement executed pursuant to this division shall include any  
applicable segmentation provisions as approved by the commission  
under division (B)(3) of this section.

(3) Notwithstanding any provision to the contrary in sections  
3318.05, 3318.06, and 3318.08 of the Revised Code, a big-eight  
school district eligible for assistance under this section may  
with the approval of the commission opt to divide the project as  
approved under division (B)(1)(b) of this section into discrete  
segments to be completed sequentially. Any project divided into  
segments shall comply with all other provisions of sections  
3318.05, 3318.06, and 3318.08 of the Revised Code except as  
otherwise specified in this division.

If a project is divided into segments under this division:

(a) The school district need raise only the amount equal to  
its proportionate share, as determined under section 3318.032 of  
the Revised Code, of each segment at any one time and may seek  
voter approval of each segment separately;

(b) The state's proportionate share, as determined under  
section 3318.032 of the Revised Code, of only the segment which  
has been approved by the school district electors or for which the  
district has applied a local donated contribution under section  
3318.084 of the Revised Code shall be encumbered ~~at any one time~~  
in accordance with section 3318.11 of the Revised Code.

Encumbrance of additional amounts to cover the state's  
proportionate share of later segments shall be approved separately  
as they are approved by the school district electors or as the  
district applies a local donated contribution to the segments  
under section 3318.084 of the Revised Code. ~~If the state's share  
of any one segment exceeds twenty-five million dollars,  
encumbrance of that share is subject to the provisions of section~~

2981  
2982  
2983  
2984  
2985  
2986  
2987  
2988  
2989  
2990  
2991  
2992  
2993  
2994  
2995  
2996  
2997  
2998  
2999  
3000  
3001  
3002  
3003  
3004  
3005  
3006  
3007  
3008  
3009  
3010  
3011  
3012

~~3318.11 of the Revised Code.~~ 3013

(c) If it is necessary to levy the additional tax for 3014  
maintenance under division (B) of section 3318.05 of the Revised 3015  
Code with respect to any segment of the project, the district may 3016  
utilize the provisions of section 3318.061 of the Revised Code to 3017  
ensure that the maintenance tax extends for twenty-three years 3018  
after the last segment of the project is undertaken. 3019

(4) For any project under this section, the state funds 3020  
reserved and encumbered and the funds provided by the school 3021  
district to pay the basic project cost of any segment of the 3022  
project, or of the entire project if it is not divided into 3023  
segments, shall be spent on the construction and acquisition of 3024  
the project simultaneously in proportion to the state's and the 3025  
school district's respective shares of that basic project cost as 3026  
determined under section 3318.032 of the Revised Code. 3027

**Sec. 3333.17.** The Ohio board of regents may enter into 3028  
contracts with the appropriate agency in a contiguous state 3029  
whereby the agency provides for charging Ohio residents enrolled 3030  
in state-assisted post-secondary educational institutions in the 3031  
contiguous state, tuition and fees at rates no higher than the 3032  
rates charged to students who are residents of that state, and 3033  
whereby the Ohio board of regents, as part of such contracts, may 3034  
provide that rates for tuition and fees charged to residents of 3035  
the contiguous state who are enrolled in state-assisted 3036  
post-secondary educational institutions in Ohio shall not exceed 3037  
those charged Ohio residents. 3038

State-assisted post-secondary educational institutions in 3039  
Ohio may enter into contracts with appropriate state-assisted 3040  
post-secondary educational institutions in a contiguous state 3041  
whereby the state-assisted post-secondary educational institution 3042  
provides for charging Ohio residents enrolled in the institution 3043

in the contiguous state, tuition and fees at rates no higher than 3044  
the rates charged to students who are residents of that state, and 3045  
whereby the Ohio state-assisted post-secondary institution, as 3046  
part of such contracts, may provide that rates for tuition and 3047  
fees charged to residents of the contiguous state who are enrolled 3048  
in the state-assisted post-secondary educational institutions in 3049  
Ohio shall not exceed those charged Ohio residents. 3050

The contracts entered into by the board of regents or a 3051  
state-assisted post-secondary educational institution may limit 3052  
the type of academic program offered at the reciprocal rates. 3053  
Residents of contiguous states enrolled in for credit courses 3054  
taught at the main campus and identified off-campus sites at 3055  
state-assisted post-secondary educational institutions in Ohio 3056  
under such contracts shall be included in calculating the number 3057  
of full-time equivalent students for state subsidy purposes. The 3058  
board of regents and each state-assisted post-secondary 3059  
educational institution shall periodically assess the costs and 3060  
benefits of each such contract and the extent to which parity is 3061  
achieved between Ohio and the contiguous state with respect to 3062  
students benefiting from the contract. All Ohio state-assisted 3063  
post-secondary educational institutions participating in these 3064  
contracts shall report enrollments and other information annually 3065  
to the Ohio board of regents. No contract shall be entered into 3066  
under this section without the approval of the ~~controlling board~~ 3067  
Ohio board of regents. The Ohio board of regents shall report the 3068  
status of these contracts to the controlling board annually. 3069

**Sec. 3345.05.** (A) All registration fees, nonresident tuition 3070  
fees, academic fees for the support of off-campus instruction, 3071  
laboratory and course fees when so assessed and collected, student 3072  
health fees for the support of a student health service, all other 3073  
fees, deposits, charges, receipts, and income from all or part of 3074  
the students, all subsidy or other payments from state 3075

appropriations, and all other fees, deposits, charges, receipts, 3076  
and income received by each state-supported university and 3077  
college, the Ohio state university hospitals and their ancillary 3078  
facilities, the Ohio agricultural research and development center, 3079  
and the Ohio state university cooperative extension service shall 3080  
be held and administered by the respective boards of trustees of 3081  
the state-supported universities and colleges; provided, that such 3082  
fees, deposits, charges, receipts, and income, to the extent 3083  
required by resolutions, trust agreements, indentures, leases, and 3084  
agreements adopted, made, or entered into under Chapter 154. or 3085  
section 3345.07, 3345.11, or 3345.12 of the Revised Code, shall be 3086  
held, administered, transferred, and applied in accordance 3087  
therewith. 3088

(B) The Ohio board of regents shall require annual reporting 3089  
by the Ohio agricultural research and development center and by 3090  
each university and college receiving state aid in such form and 3091  
detail as determined by the board in consultation with such 3092  
center, universities and colleges, and the director of budget and 3093  
management. 3094

(C) Notwithstanding any provision of the Revised Code to the 3095  
contrary, the title to investments made by the board of trustees 3096  
of a state-supported university or college with funds derived from 3097  
revenues described in division (A) of this section shall not be 3098  
vested in the state but shall be held in trust by the board. Such 3099  
investments shall be made pursuant to an investment policy adopted 3100  
by the board in public session that requires all fiduciaries to 3101  
discharge their duties with the care, skill, prudence, and 3102  
diligence under the circumstances then prevailing that a prudent 3103  
person acting in like capacity and familiar with such matters 3104  
would use in the conduct of an enterprise of a like character and 3105  
with like aims. The policy also shall require at least the 3106  
following: 3107

(1) A stipulation that investment be made only in publicly traded securities averaging at least twenty-five per cent of the average amount of the investment portfolio over the course of the previous fiscal year invested in securities of the United States government or of its agencies or instrumentalities, the treasurer of state's pooled investment program, obligations of this state or any political subdivision of this state, certificates of deposit of any national bank located in this state, written repurchase agreements with any eligible Ohio financial institution that is a member of the federal reserve system or federal home loan bank, money market funds, or bankers acceptances maturing in two hundred seventy days or less which are eligible for purchase by the federal reserve system, as a reserve; 3108  
3109  
3110  
3111  
3112  
3113  
3114  
3115  
3116  
3117  
3118  
3119  
3120

(2) The establishment of an investment committee. 3121

(D) The investment committee established under division (C)(2) of this section shall meet at least quarterly. The committee shall review and recommend revisions to the board's investment policy and shall advise the board on its investments made under division (C) of this section in an effort to assist it in meeting its obligations as a fiduciary as described in division (C) of this section. The committee shall be authorized to retain the services of an investment advisor who meets both of the following qualifications: 3122  
3123  
3124  
3125  
3126  
3127  
3128  
3129  
3130

(1) The advisor is either: 3131

(a) Licensed by the division of securities under section 1707.141 of the Revised Code; 3132  
3133

(b) Registered with the securities and exchange commission. 3134

(2) The advisor either: 3135

(a) Has experience in the management of investments of public funds, especially in the investment of state-government investment portfolios; 3136  
3137  
3138

(b) Is an eligible institution referenced in section 135.03 3139  
of the Revised Code. 3140

Sec. 3702.5213. Notwithstanding sections 3702.51 to 3702.68 3141  
of the Revised Code, the southern Ohio veterans home in Brown 3142  
county is not required to obtain a certificate of need for the 3143  
addition of up to one hundred sixty-eight additional nursing home 3144  
beds to be licensed under Chapter 3721. of the Revised Code if the 3145  
additional beds are placed in service prior to December 31, 2004. 3146

**Sec. 5705.19.** This section does not apply to school districts 3147  
or county school financing districts. 3148

The taxing authority of any subdivision at any time and in 3149  
any year, by vote of two-thirds of all the members of the taxing 3150  
authority, may declare by resolution and certify the resolution to 3151  
the board of elections not less than seventy-five days before the 3152  
election upon which it will be voted that the amount of taxes that 3153  
may be raised within the ten-mill limitation will be insufficient 3154  
to provide for the necessary requirements of the subdivision and 3155  
that it is necessary to levy a tax in excess of that limitation 3156  
for any of the following purposes: 3157

(A) For current expenses of the subdivision, except that the 3158  
total levy for current expenses of a detention facility district 3159  
or district organized under section 2151.65 of the Revised Code 3160  
shall not exceed two mills and that the total levy for current 3161  
expenses of a combined district organized under sections 2152.41 3162  
and 2151.65 of the Revised Code shall not exceed four mills; 3163

(B) For the payment of debt charges on certain described 3164  
bonds, notes, or certificates of indebtedness of the subdivision 3165  
issued subsequent to January 1, 1925; 3166

(C) For the debt charges on all bonds, notes, and 3167  
certificates of indebtedness issued and authorized to be issued 3168

prior to January 1, 1925;	3169
(D) For a public library of, or supported by, the subdivision	3170
under whatever law organized or authorized to be supported;	3171
	3172
(E) For a municipal university, not to exceed two mills over	3173
the limitation of one mill prescribed in section 3349.13 of the	3174
Revised Code;	3175
(F) For the construction or acquisition of any specific	3176
permanent improvement or class of improvements that the taxing	3177
authority of the subdivision may include in a single bond issue;	3178
(G) For the general construction, reconstruction,	3179
resurfacing, and repair of streets, roads, and bridges in	3180
municipal corporations, counties, or townships;	3181
(H) For recreational purposes;	3182
(I) For the purpose of providing and maintaining fire	3183
apparatus, appliances, buildings, or sites therefor, or sources of	3184
water supply and materials therefor, or the establishment and	3185
maintenance of lines of fire alarm telegraph, or the payment of	3186
permanent, part-time, or volunteer firefighters or firefighting	3187
companies to operate the same, including the payment of the	3188
firefighter employers' contribution required under section 742.34	3189
of the Revised Code, or the purchase of ambulance equipment, or	3190
the provision of ambulance, paramedic, or other emergency medical	3191
services operated by a fire department or firefighting company;	3192
(J) For the purpose of providing and maintaining motor	3193
vehicles, communications, and other equipment used directly in the	3194
operation of a police department, or the payment of salaries of	3195
permanent police personnel, including the payment of the police	3196
officer employers' contribution required under section 742.33 of	3197
the Revised Code, or the payment of the costs incurred by	3198
townships as a result of contracts made with other political	3199

subdivisions in order to obtain police protection, or the	3200
provision of ambulance or emergency medical services operated by a	3201
police department;	3202
(K) For the maintenance and operation of a county home or	3203
detention facility;	3204
(L) For community mental retardation and developmental	3205
disabilities programs and services pursuant to Chapter 5126. of	3206
the Revised Code, except that the procedure for such levies shall	3207
be as provided in section 5705.222 of the Revised Code;	3208
(M) For regional planning;	3209
(N) For a county's share of the cost of maintaining and	3210
operating schools, district detention facilities, forestry camps,	3211
or other facilities, or any combination thereof, established under	3212
section 2152.41 or 2151.65 of the Revised Code or both of those	3213
sections;	3214
(O) For providing for flood defense, providing and	3215
maintaining a flood wall or pumps, and other purposes to prevent	3216
floods;	3217
(P) For maintaining and operating sewage disposal plants and	3218
facilities;	3219
(Q) For the purpose of purchasing, acquiring, constructing,	3220
enlarging, improving, equipping, repairing, maintaining, or	3221
operating, or any combination of the foregoing, a county transit	3222
system pursuant to sections 306.01 to 306.13 of the Revised Code,	3223
or of making any payment to a board of county commissioners	3224
operating a transit system or a county transit board pursuant to	3225
section 306.06 of the Revised Code;	3226
(R) For the subdivision's share of the cost of acquiring or	3227
constructing any schools, forestry camps, detention facilities, or	3228
other facilities, or any combination thereof, under section	3229

2152.41 or 2151.65 of the Revised Code or both of those sections;	3230
(S) For the prevention, control, and abatement of air pollution;	3231 3232
(T) For maintaining and operating cemeteries;	3233
(U) For providing ambulance service, emergency medical service, or both;	3234 3235
(V) For providing for the collection and disposal of garbage or refuse, including yard waste;	3236 3237
(W) For the payment of the police officer employers' contribution or the firefighter employers' contribution required under sections 742.33 and 742.34 of the Revised Code;	3238 3239 3240
(X) For the construction and maintenance of a drainage improvement pursuant to section 6131.52 of the Revised Code;	3241 3242
(Y) For providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code;	3243 3244 3245
(Z) For the provision and maintenance of zoological park services and facilities as authorized under section 307.76 of the Revised Code;	3246 3247 3248
(AA) For the maintenance and operation of a free public museum of art, science, or history;	3249 3250
(BB) For the establishment and operation of a 9-1-1 system, as defined in section 4931.40 of the Revised Code;	3251 3252
(CC) For the purpose of acquiring, rehabilitating, or developing rail property or rail service. As used in this division, "rail property" and "rail service" have the same meanings as in section 4981.01 of the Revised Code. This division applies only to a county, township, or municipal corporation.	3253 3254 3255 3256 3257
(DD) For the purpose of acquiring property for, constructing,	3258

operating, and maintaining community centers as provided for in	3259
section 755.16 of the Revised Code;	3260
(EE) For the creation and operation of an office or joint	3261
office of economic development, for any economic development	3262
purpose of the office, and to otherwise provide for the	3263
establishment and operation of a program of economic development	3264
pursuant to sections 307.07 and 307.64 of the Revised Code;	3265
(FF) For the purpose of acquiring, establishing,	3266
constructing, improving, equipping, maintaining, or operating, or	3267
any combination of the foregoing, a township airport, landing	3268
field, or other air navigation facility pursuant to section 505.15	3269
of the Revised Code;	3270
(GG) For the payment of costs incurred by a township as a	3271
result of a contract made with a county pursuant to section	3272
505.263 of the Revised Code in order to pay all or any part of the	3273
cost of constructing, maintaining, repairing, or operating a water	3274
supply improvement;	3275
(HH) For a board of township trustees to acquire, other than	3276
by appropriation, an ownership interest in land, water, or	3277
wetlands, or to restore or maintain land, water, or wetlands in	3278
which the board has an ownership interest, not for purposes of	3279
recreation, but for the purposes of protecting and preserving the	3280
natural, scenic, open, or wooded condition of the land, water, or	3281
wetlands against modification or encroachment resulting from	3282
occupation, development, or other use, which may be styled as	3283
protecting or preserving "greenspace" in the resolution, notice of	3284
election, or ballot form;	3285
(II) For the support by a county of a crime victim assistance	3286
program that is provided and maintained by a county agency or a	3287
private, nonprofit corporation or association under section 307.62	3288
of the Revised Code;	3289

(JJ) For any or all of the purposes set forth in divisions	3290
(I) and (J) of this section. This division applies only to a	3291
township.	3292
(KK) For a countywide public safety communications system	3293
under section 307.63 of the Revised Code. This division applies	3294
only to counties.	3295
(LL) For the support by a county of criminal justice services	3296
under section 307.45 of the Revised Code;	3297
(MM) For the purpose of maintaining and operating a jail or	3298
other detention facility as defined in section 2921.01 of the	3299
Revised Code;	3300
(NN) For purchasing, maintaining, or improving, or any	3301
combination of the foregoing, real estate on which to hold	3302
agricultural fairs. This division applies only to a county.	3303
(OO) For constructing, rehabilitating, repairing, or	3304
maintaining sidewalks, walkways, trails, bicycle pathways, or	3305
similar improvements, or acquiring ownership interests in land	3306
necessary for the foregoing improvements, <del>by a board of township</del>	3307
<del>trustees;</del>	3308
(PP) For both of the purposes set forth in divisions (G) and	3309
(OO) of this section. <del>This division applies only to a township.</del>	3310
(QQ) For both of the purposes set forth in divisions (H) and	3311
(HH) of this section. This division applies only to a township.	3312
(RR) For the legislative authority of a municipal	3313
corporation, board of county commissioners of a county, or board	3314
of township trustees of a township to acquire agricultural	3315
easements, as defined in section 5301.67 of the Revised Code, and	3316
to supervise and enforce the easements.	3317
(SS) For both of the purposes set forth in divisions (BB) and	3318
(KK) of this section. This division applies only to a county.	3319

The resolution shall be confined to the purpose or purposes 3320  
described in one division of this section, to which the revenue 3321  
derived therefrom shall be applied. The existence in any other 3322  
division of this section of authority to levy a tax for any part 3323  
or all of the same purpose or purposes does not preclude the use 3324  
of such revenues for any part of the purpose or purposes of the 3325  
division under which the resolution is adopted. 3326

The resolution shall specify the amount of the increase in 3327  
rate that it is necessary to levy, the purpose of that increase in 3328  
rate, and the number of years during which the increase in rate 3329  
shall be in effect, which may or may not include a levy upon the 3330  
duplicate of the current year. The number of years may be any 3331  
number not exceeding five, except as follows: 3332

(1) When the additional rate is for the payment of debt 3333  
charges, the increased rate shall be for the life of the 3334  
indebtedness. 3335

(2) When the additional rate is for any of the following, the 3336  
increased rate shall be for a continuing period of time: 3337

(a) For the current expenses for a detention facility 3338  
district, a district organized under section 2151.65 of the 3339  
Revised Code, or a combined district organized under sections 3340  
2152.41 and 2151.65 of the Revised Code; 3341

(b) For providing a county's share of the cost of maintaining 3342  
and operating schools, district detention facilities, forestry 3343  
camps, or other facilities, or any combination thereof, 3344  
established under section 2152.41 or 2151.65 of the Revised Code 3345  
or under both of those sections. 3346

(3) When the additional rate is for any of the following, the 3347  
increased rate may be for a continuing period of time: 3348

(a) For the purposes set forth in division (I), (J), (U), or 3349  
(KK) of this section; 3350

(b) For the maintenance and operation of a joint recreation district; 3351  
3352

(c) A levy imposed by a township for the purposes set forth in division (G) of this section. 3353  
3354

(4) When the increase is for the purpose or purposes set forth in division (D) ~~or, (G), (CC), or (PP)~~ of this section ~~or for both of the purposes set forth in divisions (G) and (OO) of this section~~, the tax levy may be for any specified number of years or for a continuing period of time, as set forth in the resolution. 3355  
3356  
3357  
3358  
3359  
3360

(5) When the additional rate is for the purpose described in division (Z) of this section, the increased rate shall be for any number of years not exceeding ten. 3361  
3362  
3363

A levy for one of the purposes set forth in division (G), (I), (J), or (U) of this section, ~~and a levy imposed by a township for the purposes set forth in division (G) of this section~~, may be reduced pursuant to section 5705.261 or 5705.31 of the Revised Code. A levy for one of the purposes set forth in division (G), (I), (J), or (U) of this section, ~~and a levy imposed by a township for the purposes set forth in division (G) of this section~~, may also be terminated or permanently reduced by the taxing authority if it adopts a resolution stating that the continuance of the levy is unnecessary and the levy shall be terminated or that the millage is excessive and the levy shall be decreased by a designated amount. 3364  
3365  
3366  
3367  
3368  
3369  
3370  
3371  
3372  
3373  
3374  
3375

A resolution of a detention facility district, a district organized under section 2151.65 of the Revised Code, or a combined district organized under both sections 2152.41 and 2151.65 of the Revised Code may include both current expenses and other purposes, provided that the resolution shall apportion the annual rate of levy between the current expenses and the other purpose or 3376  
3377  
3378  
3379  
3380  
3381

purposes. The apportionment need not be the same for each year of 3382  
the levy, but the respective portions of the rate actually levied 3383  
each year for the current expenses and the other purpose or 3384  
purposes shall be limited by the apportionment. 3385

Whenever a board of county commissioners, acting either as 3386  
the taxing authority of its county or as the taxing authority of a 3387  
sewer district or subdistrict created under Chapter 6117. of the 3388  
Revised Code, by resolution declares it necessary to levy a tax in 3389  
excess of the ten-mill limitation for the purpose of constructing, 3390  
improving, or extending sewage disposal plants or sewage systems, 3391  
the tax may be in effect for any number of years not exceeding 3392  
twenty, and the proceeds of the tax, notwithstanding the general 3393  
provisions of this section, may be used to pay debt charges on any 3394  
obligations issued and outstanding on behalf of the subdivision 3395  
for the purposes enumerated in this paragraph, provided that any 3396  
such obligations have been specifically described in the 3397  
resolution. 3398

The resolution shall go into immediate effect upon its 3399  
passage, and no publication of the resolution is necessary other 3400  
than that provided for in the notice of election. 3401

When the electors of a subdivision have approved a tax levy 3402  
under this section, the taxing authority of the subdivision may 3403  
anticipate a fraction of the proceeds of the levy and issue 3404  
anticipation notes in accordance with section 5705.191 or 5705.193 3405  
of the Revised Code. 3406

**Sec. 5705.218.** (A) The board of education of a city, local, 3407  
or exempted village school district, at any time by a vote of 3408  
two-thirds of all its members, may declare by resolution that it 3409  
may be necessary for the school district to issue general 3410  
obligation bonds for permanent improvements. The resolution shall 3411  
state all of the following: 3412

- (1) The necessity and purpose of the bond issue; 3413
- (2) The date of the special election at which the question 3414  
shall be submitted to the electors; 3415
- (3) The amount, approximate date, estimated rate of interest, 3416  
and maximum number of years over which the principal of the bonds 3417  
may be paid; 3418
- (4) The necessity of levying a tax outside the ten-mill 3419  
limitation to pay debt charges on the bonds and any anticipatory 3420  
securities. 3421
- On adoption of the resolution, the board shall certify a copy 3422  
of it to the county auditor. The county auditor promptly shall 3423  
estimate and certify to the board the average annual property tax 3424  
rate required throughout the stated maturity of the bonds to pay 3425  
debt charges on the bonds, in the same manner as under division 3426  
(C) of section 133.18 of the Revised Code. 3427
- (B) After receiving the county auditor's certification under 3428  
division (A) of this section, the board of education of the city, 3429  
local, or exempted village school district, by a vote of 3430  
two-thirds of all its members, may declare by resolution that the 3431  
amount of taxes that can be raised within the ten-mill limitation 3432  
will be insufficient to provide an adequate amount for the present 3433  
and future requirements of the school district; that it is 3434  
necessary to issue general obligation bonds of the school district 3435  
for permanent improvements and to levy an additional tax in excess 3436  
of the ten-mill limitation to pay debt charges on the bonds and 3437  
any anticipatory securities; that it is necessary for a specified 3438  
number of years or for a continuing period of time to levy 3439  
additional taxes in excess of the ten-mill limitation to provide 3440  
funds for the acquisition, construction, enlargement, renovation, 3441  
and financing of permanent improvements or to pay for current 3442  
operating expenses, or both; and that the question of the bonds 3443

and taxes shall be submitted to the electors of the school 3444  
district at a special election, which shall not be earlier than 3445  
seventy-five days after certification of the resolution to the 3446  
board of elections, and the date of which shall be consistent with 3447  
section 3501.01 of the Revised Code. The resolution shall specify 3448  
all of the following: 3449

(1) The county auditor's estimate of the average annual 3450  
property tax rate required throughout the stated maturity of the 3451  
bonds to pay debt charges on the bonds; 3452

(2) The proposed rate of the tax, if any, for current 3453  
operating expenses, the first year the tax will be levied, and the 3454  
number of years it will be levied, or that it will be levied for a 3455  
continuing period of time; 3456

(3) The proposed rate of the tax, if any, for permanent 3457  
improvements, the first year the tax will be levied, and the 3458  
number of years it will be levied, or that it will be levied for a 3459  
continuing period of time. 3460

The resolution shall apportion the annual rate of the tax 3461  
between current operating expenses and permanent improvements, if 3462  
both taxes are proposed. The apportionment may but need not be the 3463  
same for each year of the tax, but the respective portions of the 3464  
rate actually levied each year for current operating expenses and 3465  
permanent improvements shall be limited by the apportionment. The 3466  
resolution shall go into immediate effect upon its passage, and no 3467  
publication of it is necessary other than that provided in the 3468  
notice of election. The board of education shall certify a copy of 3469  
the resolution, along with copies of the auditor's estimate and 3470  
its resolution under division (A) of this section, to the board of 3471  
elections immediately after its adoption. 3472

(C) The board of elections shall make the arrangements for 3473  
the submission of the question to the electors of the school 3474

district, and the election shall be conducted, canvassed, and 3475  
certified in the same manner as regular elections in the district 3476  
for the election of county officers. The resolution shall be put 3477  
before the electors as one ballot question, with a favorable vote 3478  
indicating approval of the bond issue, the levy to pay debt 3479  
charges on the bonds and any anticipatory securities, the current 3480  
operating expenses levy, and the permanent improvements levy, if 3481  
either or both levies are proposed. The board of elections shall 3482  
publish notice of the election in one or more newspapers of 3483  
general circulation in the school district once a week for four 3484  
consecutive weeks. The notice of election shall state all of the 3485  
following: 3486

(1) The principal amount of the proposed bond issue; 3487

(2) The permanent improvements for which the bonds are to be 3488  
issued; 3489

(3) The maximum number of years over which the principal of 3490  
the bonds may be paid; 3491

(4) The estimated additional average annual property tax rate 3492  
to pay the debt charges on the bonds, as certified by the county 3493  
auditor; 3494

(5) The proposed rate of the additional tax, if any, for 3495  
current operating expenses; 3496

(6) The number of years the current operating expenses tax 3497  
will be in effect, or that it will be in effect for a continuing 3498  
period of time; 3499

(7) The proposed rate of the additional tax, if any, for 3500  
permanent improvements; 3501

(8) The number of years the permanent improvements tax will 3502  
be in effect, or that it will be in effect for a continuing period 3503  
of time; 3504

(9) The time and place of the special election. 3505

(D) The form of the ballot for an election under this section 3506  
is as follows: 3507

"Shall the ..... school district be authorized to do the 3508  
following: 3509

(1) Issue bonds for the purpose of ..... in the 3510  
principal amount of \$....., to be repaid annually over a maximum 3511  
period of ..... years, and levy a property tax outside the 3512  
ten-mill limitation, estimated by the county auditor to average 3513  
over the bond repayment period ..... mills for each one dollar of 3514  
tax valuation, which amounts to ..... (rate expressed in cents or 3515  
dollars and cents, such as "36 cents" or "\$1.41") for each \$100 of 3516  
tax valuation, to pay the annual debt charges on the bonds, and to 3517  
pay debt charges on any notes issued in anticipation of those 3518  
bonds?" 3519

If either a levy for permanent improvements or a levy for 3520  
current operating expenses is proposed, or both are proposed, the 3521  
ballot also shall contain the following language, as appropriate: 3522

"(2) Levy an additional property tax to provide funds for the 3523  
acquisition, construction, enlargement, renovation, and financing 3524  
of permanent improvements at a rate not exceeding ..... mills 3525  
for each one dollar of tax valuation, which amounts to ..... 3526  
(rate expressed in cents or dollars and cents) for each \$100 of 3527  
tax valuation, for ..... (number of years of the levy, or a 3528  
continuing period of time)? 3529

(3) Levy an additional property tax to pay current operating 3530  
expenses at a rate not exceeding ..... mills for each one dollar 3531  
of tax valuation, which amounts to ..... (rate expressed in 3532  
cents or dollars and cents) for each \$100 of tax valuation, for 3533  
..... (number of years of the levy, or a continuing period of 3534  
time)? 3535

3536  
FOR THE BOND ISSUE AND LEVY (OR LEVIES) 3537  
AGAINST THE BOND ISSUE AND LEVY (OR LEVIES) " 3538  
3539  
(E) The board of elections promptly shall certify the results 3540  
of the election to the tax commissioner and the county auditor of 3541  
the county in which the school district is located. If a majority 3542  
of the electors voting on the question vote for it, the board of 3543  
education may proceed with issuance of the bonds and with the levy 3544  
and collection of the property tax or taxes at the additional rate 3545  
or any lesser rate in excess of the ten-mill limitation. Any 3546  
securities issued by the board of education under this section are 3547  
Chapter 133. securities, as that term is defined in section 133.01 3548  
of the Revised Code. 3549  
(F)(1) After the approval of a tax for current operating 3550  
expenses under this section and prior to the time the first 3551  
collection and distribution from the levy can be made, the board 3552  
of education may anticipate a fraction of the proceeds of such 3553  
levy and issue anticipation notes in a principal amount not 3554  
exceeding fifty per cent of the total estimated proceeds of the 3555  
tax to be collected during the first year of the levy. 3556  
(2) After the approval of a tax under this section for 3557  
permanent improvements having a specific purpose, the board of 3558  
education may anticipate a fraction of the proceeds of such tax 3559  
and issue anticipation notes in a principal amount not exceeding 3560  
fifty per cent of the total estimated proceeds of the tax 3561  
remaining to be collected in each year over a period of five years 3562  
after issuance of the notes. 3563  
(3) After the approval of a tax for general, on-going 3564  
permanent improvements under this section, the board of education 3565  
may anticipate a fraction of the proceeds of such tax and issue 3566

anticipation notes in a principal amount not exceeding fifty per cent of the total estimated proceeds of the tax to be collected in each year over a specified period of years, not exceeding ten, after issuance of the notes.

Anticipation notes under this section shall be issued as provided in section 133.24 of the Revised Code. Notes issued under division (F)(1) or (2) of this section shall have principal payments during each year after the year of their issuance over a period not to exceed five years, and may have a principal payment in the year of their issuance. Notes issued under division (F)(3) of this section shall have principal payments during each year after the year of their issuance over a period not to exceed ten years, and may have a principal payment in the year of their issuance.

(G) A tax for current operating expenses or for permanent improvements levied under this section for a specified number of years may be renewed or replaced in the same manner as a tax for current operating expenses or for permanent improvements levied under section 5705.21 of the Revised Code. A tax for current operating expenses or for permanent improvements levied under this section for a continuing period of time may be decreased in accordance with section 5705.261 of the Revised Code.

(H) The submission of a question to the electors under this section is subject to the limitation on the number of elections that can be held in a year under section 5705.214 of the Revised Code.

(I) A school district board of education proposing a ballot measure under this section to generate local resources for a project under the school building assistance expedited local partnership program under section 3318.36 of the Revised Code may combine the questions under division (D) of this section with a question for the levy of a property tax to generate moneys for

maintenance of the classroom facilities acquired under that 3599  
project as prescribed in section 3318.361 of the Revised Code. 3600

**Sec. 5709.081.** (A) Real and tangible personal property owned 3601  
by a political subdivision that is a public recreational facility 3602  
for athletic events shall be exempt from taxation if all of the 3603  
following apply: 3604

(1) The property is controlled and managed by a political 3605  
subdivision or a county-related corporation or by a similar 3606  
corporation under the direct control of a political subdivision 3607  
and whose members and trustees are chosen or appointed by the 3608  
subdivision; 3609

(2) All revenues and receipts derived by the subdivision or 3610  
corporation that controls and manages the property, after 3611  
deducting amounts needed to pay necessary expenses for the 3612  
operation and management of the property, accrue to the political 3613  
subdivision owning the property; 3614

(3) The property is not occupied and used for more than seven 3615  
days in any calendar month by any private entity for profit or for 3616  
more than a total of fifteen days in any calendar month by all 3617  
such private entities for profit; 3618

(4) The property is under the direction and control of the 3619  
political subdivision or managing corporation whenever it is being 3620  
used by a private entity for profit; 3621

(5) The primary user or users of the property, if such a 3622  
primary user exists, are controlled and managed by the political 3623  
subdivision or corporation that controls and manages the property. 3624

(B) Tangible personal property, and all buildings, 3625  
structures, improvements, and fixtures of any kind on the land, 3626  
that are constructed or, in the case of personal property, 3627  
acquired after March 2, 1992, and are part of or used in a public 3628

recreational facility used by a major league professional athletic team or a class A to class AAA minor league affiliate of a major league baseball team for a significant portion of its home schedule, and land acquired by a political subdivision in 1999 for such purposes, are declared to be public property used for a public purpose and are exempt from taxation, if all of the following apply:

(1) Such property is owned by one or more political subdivisions or by a corporation controlled by such subdivisions;

(2) Such property was or is any of the following:

(a) Constructed or, in the case of personal property, acquired pursuant to an agreement with a municipal corporation to implement a development, redevelopment, or renewal plan for an area declared by the municipal corporation to be a slum or blighted area, as those terms are defined in section 725.01 of the Revised Code;

(b) Financed in whole or in part with public obligations as defined in section 5709.76 of the Revised Code or otherwise paid for in whole or in part by one or more political subdivisions;

(c) An improvement or addition to property defined in division (B)(2)(a) or (b) of this section.

(3) Such property is controlled and managed by ~~one~~ either of the following:

(a) One or more of the political subdivisions or the corporation that owns it, ~~or controlled and managed by a~~

(b) A designee, tenant, or agent of such political subdivision or subdivisions or corporation pursuant to a management, lease, or similar written agreement.

(4) The primary user or users of such property, if a primary user or primary users exist, either:

(a) Are controlled and managed by one or more of the 3659  
political subdivisions or the corporation that owns the property; 3660  
or 3661

(b) Operate under leases, licenses, management agreements, or 3662  
similar arrangements with, and providing for the payment of rents, 3663  
revenues, or other remuneration to, one or more of the political 3664  
subdivisions or the corporation that owns the property. 3665

(5) Any residual cash accrues to the political subdivision or 3666  
subdivisions that own the property or that control the corporation 3667  
that owns the property, and is used for the public purposes of the 3668  
subdivision or subdivisions. As used in division (B)(5) of this 3669  
section, "residual cash" means any revenue and receipts derived 3670  
from the property by the political subdivision or subdivisions or 3671  
corporation that owns the property and that are available for 3672  
unencumbered use by the political subdivision or subdivisions or 3673  
corporation, after deducting amounts needed to make necessary 3674  
expenditures, pay debt service, and provide for working capital 3675  
related to the ownership, management, operation, and use of the 3676  
property, including payments of taxes on the taxable part of the 3677  
public recreational facility, contractually obligated payments or 3678  
deposits into reserves or otherwise, and service payments under 3679  
section 307.699 of the Revised Code. 3680

(C) The exemption provided in division (B) of this section 3681  
also applies to both of the following: 3682

(1) The property during its construction or, in the case of 3683  
tangible personal property, acquisition during the construction 3684  
period, if the owner meets the condition of division (B)(1) of 3685  
this section and has agreements that provide for the satisfaction 3686  
of all other conditions of division (B) of this section upon the 3687  
completion of the construction; 3688

(2) Any improvement or addition made after March 2, 1992, to 3689

a public recreational facility that was constructed before March 2, 1992, as long as all other conditions in division (B) of this section are met. 3690  
3691  
3692

(D) A corporation that owns property exempt from taxation under division (B) of this section is a public body for the purposes of section 121.22 of the Revised Code. The corporation's records are public records for the purposes of section 149.43 of the Revised Code, except records related to matters set forth in division (G) of section 121.22 of the Revised Code and records related to negotiations that are not yet completed for financing, leases, or other agreements. 3693  
3694  
3695  
3696  
3697  
3698  
3699  
3700

(E) The exemption under division (B) of this section applies to property that is owned by the political subdivision or subdivisions or the corporation that owns the public recreational facility. Tangible personal property owned by users, managers, or lessees of the facility is taxable when used in the public recreational facility. 3701  
3702  
3703  
3704  
3705  
3706

(F) Nothing in this section or in any other section of the Revised Code prohibits or otherwise precludes an agreement between a political subdivision, or a corporation controlled by a political subdivision, that owns or operates a public recreational facility that is exempted from taxation under division (A) or (B) of this section and the board of education of a school district or the legislative authority of a municipal corporation, or both, in which all or a part of that facility is located, providing for payments to the school district or municipal corporation, or both, in lieu of taxes that otherwise would be charged against real and tangible personal property exempted from taxation under this section, for a period of time and under such terms and conditions as the legislative authority of the political subdivision and the board of education or municipal legislative authority, or both, may agree, which agreements are hereby specifically authorized. 3707  
3708  
3709  
3710  
3711  
3712  
3713  
3714  
3715  
3716  
3717  
3718  
3719  
3720  
3721

Sec. 5709.82. (A) As used in this section:	3722
(1) "New employee" means both of the following:	3723
(a) Persons employed in the construction of real property exempted from taxation under the chapters or sections of the Revised Code enumerated in division (B) of this section;	3724 3725 3726
(b) Persons not described by division (A)(1)(a) of this section who are first employed at the site of such property and who within the two previous years have not been subject, prior to being employed at that site, to income taxation by the municipal corporation within whose territory the site is located on income derived from employment for the person's current employer. "New employee" does not include any person who replaces a person who is not a new employee under division (A)(1) of this section.	3727 3728 3729 3730 3731 3732 3733 3734
(2) "Infrastructure costs" means costs incurred by a municipal corporation in a calendar year to acquire, construct, reconstruct, improve, plan, or equip real or tangible personal property that directly benefits or will directly benefit the exempted property. If the municipal corporation finances the acquisition, construction, reconstruction, improvement, planning, or equipping of real or tangible personal property that directly benefits the exempted property by issuing debt, "infrastructure costs" means the annual debt charges incurred by the municipal corporation from the issuance of such debt. Real or tangible personal property directly benefits exempted property only if the exempted property places or will place direct, additional demand on the real or tangible personal property for which such costs were or will be incurred.	3735 3736 3737 3738 3739 3740 3741 3742 3743 3744 3745 3746 3747 3748
(B) Except as otherwise provided under division (C) of this section, the legislative authority of any political subdivision that has acted under the authority of Chapter 725. or 1728., sections 3735.65 to 3735.70, or section 5709.40, 5709.41, 5709.62,	3749 3750 3751 3752

5709.63, 5709.632, 5709.73, 5709.78, 5709.84, or 5709.88 of the  
Revised Code to grant an exemption from taxation for real or  
tangible personal property may negotiate with the board of  
education of each city, local, ~~or~~ exempted village, or joint  
vocational school district within the territory of which the  
exempted property is located, and enter into an agreement whereby  
the school district is compensated for tax revenue that the school  
district would have received had the property not been exempted  
from taxation.

(C) This division does not apply to the following:

(1) The legislative authority of a municipal corporation that  
has acted under the authority of division (H) of section 715.70 or  
section 715.81 of the Revised Code to consent to the granting of  
an exemption from taxation for real or tangible personal property  
in a joint economic development district.

(2) The legislative authority of a municipal corporation that  
has specified in an ordinance adopted under section 5709.40 or  
5709.41 of the Revised Code that payments in lieu of taxes  
provided for under section 5709.42 of the Revised Code shall be  
paid to the city, local, or exempted village school district in  
which the improvements are located in the amount of taxes that  
would have been payable to the school district if the improvements  
had not been exempted from taxation, as directed in the ordinance.

If the legislative authority of any municipal corporation has  
acted under the authority of Chapter 725. or 1728. or section  
3735.671, 5709.40, 5709.41, 5709.62, 5709.63, 5709.632, or  
5709.88, or a housing officer under section 3735.67 of the Revised  
Code, to grant or consent to the granting of an exemption from  
taxation for real or tangible personal property on or after July  
1, 1994, the municipal corporation imposes a tax on incomes, and  
the payroll of new employees resulting from the exercise of that  
authority equals or exceeds one million dollars in any tax year

for which such property is exempted, the legislative authority and 3785  
the board of education of each city, local, or exempted village 3786  
school district within the territory of which the exempted 3787  
property is located shall attempt to negotiate an agreement 3788  
providing for compensation to the school district for all or a 3789  
portion of the tax revenue the school district would have received 3790  
had the property not been exempted from taxation. The agreement 3791  
may include as a party the owner of the property exempted or to be 3792  
exempted from taxation and may include provisions obligating the 3793  
owner to compensate the school district by paying cash or 3794  
providing property or services by gift, loan, or otherwise. Such 3795  
an obligation is enforceable by the board of education of the 3796  
school district pursuant to the terms of the agreement. 3797

If the legislative authority and board of education fail to 3798  
negotiate an agreement that is mutually acceptable within six 3799  
months of formal approval by the legislative authority of the 3800  
instrument granting the exemption, the legislative authority shall 3801  
compensate the school district in the amount and manner prescribed 3802  
by division (D) of this section. 3803

(D) Annually, the legislative authority of a municipal 3804  
corporation subject to this division shall pay to the city, local, 3805  
or exempted village school district within the territory of which 3806  
the exempted property is located an amount equal to fifty per cent 3807  
of the difference between the amount of taxes levied and collected 3808  
by the municipal corporation on the incomes of new employees in 3809  
the calendar year ending on the day the payment is required to be 3810  
made, and the amount of any infrastructure costs incurred in that 3811  
calendar year. For purposes of such computation, the amount of 3812  
infrastructure costs shall not exceed thirty-five per cent of the 3813  
amount of those taxes unless the board of education of the school 3814  
district, by resolution adopted by a majority of the board, 3815  
approves an amount in excess of that percentage. If the amount of 3816

those taxes or infrastructure costs must be estimated at the time 3817  
the payment is made, payments in subsequent years shall be 3818  
adjusted to compensate for any departure of those estimates from 3819  
the actual amount of those taxes. 3820

A municipal corporation required to make a payment under this 3821  
section shall make the payment from its general fund or a special 3822  
fund established for the purpose. The payment is payable on the 3823  
thirty-first day of December of the tax year for or in which the 3824  
exemption from taxation commences and on that day for each 3825  
subsequent tax year property is exempted and the legislative 3826  
authority and board fail to negotiate an acceptable agreement 3827  
under division (C) of this section. 3828

**Sec. 5739.01.** As used in this chapter: 3829

(A) "Person" includes individuals, receivers, assignees, 3830  
trustees in bankruptcy, estates, firms, partnerships, 3831  
associations, joint-stock companies, joint ventures, clubs, 3832  
societies, corporations, the state and its political subdivisions, 3833  
and combinations of individuals of any form. 3834

(B) "Sale" and "selling" include all of the following 3835  
transactions for a consideration in any manner, whether absolutely 3836  
or conditionally, whether for a price or rental, in money or by 3837  
exchange, and by any means whatsoever: 3838

(1) All transactions by which title or possession, or both, 3839  
of tangible personal property, is or is to be transferred, or a 3840  
license to use or consume tangible personal property is or is to 3841  
be granted; 3842

(2) All transactions by which lodging by a hotel is or is to 3843  
be furnished to transient guests; 3844

(3) All transactions by which: 3845

(a) An item of tangible personal property is or is to be 3846

repaired, except property, the purchase of which would be exempt 3847  
from the tax imposed by section 5739.02 of the Revised Code; 3848

(b) An item of tangible personal property is or is to be 3849  
installed, except property, the purchase of which would be exempt 3850  
from the tax imposed by section 5739.02 of the Revised Code or 3851  
property that is or is to be incorporated into and will become a 3852  
part of a production, transmission, transportation, or 3853  
distribution system for the delivery of a public utility service; 3854

(c) The service of washing, cleaning, waxing, polishing, or 3855  
painting a motor vehicle is or is to be furnished; 3856

(d) Industrial laundry cleaning services are or are to be 3857  
provided; 3858

(e) Automatic data processing, computer services, or 3859  
electronic information services are or are to be provided for use 3860  
in business when the true object of the transaction is the receipt 3861  
by the consumer of automatic data processing, computer services, 3862  
or electronic information services rather than the receipt of 3863  
personal or professional services to which automatic data 3864  
processing, computer services, or electronic information services 3865  
are incidental or supplemental. Notwithstanding any other 3866  
provision of this chapter, such transactions that occur between 3867  
members of an affiliated group are not sales. An affiliated group 3868  
means two or more persons related in such a way that one person 3869  
owns or controls the business operation of another member of the 3870  
group. In the case of corporations with stock, one corporation 3871  
owns or controls another if it owns more than fifty per cent of 3872  
the other corporation's common stock with voting rights. 3873

(f) Telecommunications service is provided that originates or 3874  
terminates in this state and is charged in the records of the 3875  
telecommunications service vendor to the consumer's telephone 3876  
number or account in this state, or that both originates and 3877

terminates in this state; but does not include transactions by	3878
which telecommunications service is paid for by using a prepaid	3879
authorization number or prepaid telephone calling card, or by	3880
which local telecommunications service is obtained from a	3881
coin-operated telephone and paid for by using coin;	3882
(g) Landscaping and lawn care service is or is to be	3883
provided;	3884
(h) Private investigation and security service is or is to be	3885
provided;	3886
(i) Information services or tangible personal property is	3887
provided or ordered by means of a nine hundred telephone call;	3888
(j) Building maintenance and janitorial service is or is to	3889
be provided;	3890
(k) Employment service is or is to be provided;	3891
(l) Employment placement service is or is to be provided;	3892
(m) Exterminating service is or is to be provided;	3893
(n) Physical fitness facility service is or is to be	3894
provided;	3895
(o) Recreation and sports club service is or is to be	3896
provided.	3897
(4) All transactions by which printed, imprinted,	3898
overprinted, lithographic, multilithic, blueprinted, photostatic,	3899
or other productions or reproductions of written or graphic matter	3900
are or are to be furnished or transferred;	3901
(5) The production or fabrication of tangible personal	3902
property for a consideration for consumers who furnish either	3903
directly or indirectly the materials used in the production of	3904
fabrication work; and include the furnishing, preparing, or	3905
serving for a consideration of any tangible personal property	3906

consumed on the premises of the person furnishing, preparing, or 3907  
serving such tangible personal property. Except as provided in 3908  
section 5739.03 of the Revised Code, a construction contract 3909  
pursuant to which tangible personal property is or is to be 3910  
incorporated into a structure or improvement on and becoming a 3911  
part of real property is not a sale of such tangible personal 3912  
property. The construction contractor is the consumer of such 3913  
tangible personal property, provided that the sale and 3914  
installation of carpeting, the sale and installation of 3915  
agricultural land tile, the sale and erection or installation of 3916  
portable grain bins, or the provision of landscaping and lawn care 3917  
service and the transfer of property as part of such service is 3918  
never a construction contract. The transfer of copyrighted motion 3919  
picture films for exhibition purposes is not a sale, except such 3920  
films as are used solely for advertising purposes. Other than as 3921  
provided in this section, "sale" and "selling" do not include 3922  
transfers of interest in leased property where the original lessee 3923  
and the terms of the original lease agreement remain unchanged, or 3924  
professional, insurance, or personal service transactions that 3925  
involve the transfer of tangible personal property as an 3926  
inconsequential element, for which no separate charges are made. 3927

As used in division (B)(5) of this section: 3928

(a) "Agricultural land tile" means fired clay or concrete 3929  
tile, or flexible or rigid perforated plastic pipe or tubing, 3930  
incorporated or to be incorporated into a subsurface drainage 3931  
system appurtenant to land used or to be used directly in 3932  
production by farming, agriculture, horticulture, or floriculture. 3933  
The term does not include such materials when they are or are to 3934  
be incorporated into a drainage system appurtenant to a building 3935  
or structure even if the building or structure is used or to be 3936  
used in such production. 3937

(b) "Portable grain bin" means a structure that is used or to 3938

be used by a person engaged in farming or agriculture to shelter 3939  
the person's grain and that is designed to be disassembled without 3940  
significant damage to its component parts. 3941

(6) All transactions in which all of the shares of stock of a 3942  
closely held corporation are transferred, if the corporation is 3943  
not engaging in business and its entire assets consist of boats, 3944  
planes, motor vehicles, or other tangible personal property 3945  
operated primarily for the use and enjoyment of the shareholders; 3946

(7) All transactions in which a warranty, maintenance or 3947  
service contract, or similar agreement by which the vendor of the 3948  
warranty, contract, or agreement agrees to repair or maintain the 3949  
tangible personal property of the consumer is or is to be 3950  
provided; 3951

(8) All transactions by which a prepaid authorization number 3952  
or a prepaid telephone calling card is or is to be transferred. 3953

(C) "Vendor" means the person providing the service or by 3954  
whom the transfer effected or license given by a sale is or is to 3955  
be made or given and, for sales described in division (B)(3)(i) of 3956  
this section, the telecommunications service vendor that provides 3957  
the nine hundred telephone service; if two or more persons are 3958  
engaged in business at the same place of business under a single 3959  
trade name in which all collections on account of sales by each 3960  
are made, such persons shall constitute a single vendor. 3961

Physicians, dentists, hospitals, and veterinarians who are 3962  
engaged in selling tangible personal property as received from 3963  
others, such as eyeglasses, mouthwashes, dentifrices, or similar 3964  
articles, are vendors. Veterinarians who are engaged in 3965  
transferring to others for a consideration drugs, the dispensing 3966  
of which does not require an order of a licensed veterinarian or 3967  
physician under federal law, are vendors. 3968

(D)(1) "Consumer" means the person for whom the service is 3969

provided, to whom the transfer effected or license given by a sale 3970  
is or is to be made or given, to whom the service described in 3971  
division (B)(3)(f) or (i) of this section is charged, or to whom 3972  
the admission is granted. 3973

(2) Physicians, dentists, hospitals, and blood banks operated 3974  
by nonprofit institutions and persons licensed to practice 3975  
veterinary medicine, surgery, and dentistry are consumers of all 3976  
tangible personal property and services purchased by them in 3977  
connection with the practice of medicine, dentistry, the rendition 3978  
of hospital or blood bank service, or the practice of veterinary 3979  
medicine, surgery, and dentistry. In addition to being consumers 3980  
of drugs administered by them or by their assistants according to 3981  
their direction, veterinarians also are consumers of drugs that 3982  
under federal law may be dispensed only by or upon the order of a 3983  
licensed veterinarian or physician, when transferred by them to 3984  
others for a consideration to provide treatment to animals as 3985  
directed by the veterinarian. 3986

(3) A person who performs a facility management, or similar 3987  
service contract for a contractee is a consumer of all tangible 3988  
personal property and services purchased for use in connection 3989  
with the performance of such contract, regardless of whether title 3990  
to any such property vests in the contractee. The purchase of such 3991  
property and services is not subject to the exception for resale 3992  
under division (E)(1) of this section. 3993

(4)(a) In the case of a person who purchases printed matter 3994  
for the purpose of distributing it or having it distributed to the 3995  
public or to a designated segment of the public, free of charge, 3996  
that person is the consumer of that printed matter, and the 3997  
purchase of that printed matter for that purpose is a sale. 3998

(b) In the case of a person who produces, rather than 3999  
purchases, printed matter for the purpose of distributing it or 4000  
having it distributed to the public or to a designated segment of 4001

the public, free of charge, that person is the consumer of all  
tangible personal property and services purchased for use or  
consumption in the production of that printed matter. That person  
is not entitled to claim exception under division (E)(8) of this  
section for any material incorporated into the printed matter or  
any equipment, supplies, or services primarily used to produce the  
printed matter.

4002  
4003  
4004  
4005  
4006  
4007  
4008

(c) The distribution of printed matter to the public or to a  
designated segment of the public, free of charge, is not a sale to  
the members of the public to whom the printed matter is  
distributed or to any persons who purchase space in the printed  
matter for advertising or other purposes.

4009  
4010  
4011  
4012  
4013

(5) A person who makes sales of any of the services listed in  
division (B)(3) of this section is the consumer of any tangible  
personal property used in performing the service. The purchase of  
that property is not subject to the resale exception under  
division (E)(1) of this section.

4014  
4015  
4016  
4017  
4018

(E) "Retail sale" and "sales at retail" include all sales  
except those in which the purpose of the consumer is:

4019  
4020

(1) To resell the thing transferred or benefit of the service  
provided, by a person engaging in business, in the form in which  
the same is, or is to be, received by the person;

4021  
4022  
4023

(2) To incorporate the thing transferred as a material or a  
part, into tangible personal property to be produced for sale by  
manufacturing, assembling, processing, or refining, or to use or  
consume the thing transferred directly in producing a product for  
sale by mining, including without limitation the extraction from  
the earth of all substances that are classed geologically as  
minerals, production of crude oil and natural gas, farming,  
agriculture, horticulture, or floriculture, and persons engaged in  
rendering farming, agricultural, horticultural, or floricultural

4024  
4025  
4026  
4027  
4028  
4029  
4030  
4031  
4032

services, and services in the exploration for, and production of, 4033  
crude oil and natural gas, for others are deemed engaged directly 4034  
in farming, agriculture, horticulture, and floriculture, or 4035  
exploration for, and production of, crude oil and natural gas; 4036  
directly in the rendition of a public utility service, except that 4037  
the sales tax levied by section 5739.02 of the Revised Code shall 4038  
be collected upon all meals, drinks, and food for human 4039  
consumption sold upon Pullman and railroad coaches. This paragraph 4040  
does not exempt or except from "retail sale" or "sales at retail" 4041  
the sale of tangible personal property that is to be incorporated 4042  
into a structure or improvement to real property. 4043

(3) To hold the thing transferred as security for the 4044  
performance of an obligation of the vendor; 4045

(4) To use or consume the thing transferred in the process of 4046  
reclamation as required by Chapters 1513. and 1514. of the Revised 4047  
Code; 4048

(5) To resell, hold, use, or consume the thing transferred as 4049  
evidence of a contract of insurance; 4050

(6) To use or consume the thing directly in commercial 4051  
fishing; 4052

(7) To incorporate the thing transferred as a material or a 4053  
part into, or to use or consume the thing transferred directly in 4054  
the production of, magazines distributed as controlled circulation 4055  
publications; 4056

(8) To use or consume the thing transferred in the production 4057  
and preparation in suitable condition for market and sale of 4058  
printed, imprinted, overprinted, lithographic, multilithic, 4059  
blueprinted, photostatic, or other productions or reproductions of 4060  
written or graphic matter; 4061

(9) To use the thing transferred, as described in section 4062  
5739.011 of the Revised Code, primarily in a manufacturing 4063

- operation to produce tangible personal property for sale; 4064
- (10) To use the benefit of a warranty, maintenance or service 4065  
contract, or similar agreement, as defined in division (B)(7) of 4066  
this section, to repair or maintain tangible personal property, if 4067  
all of the property that is the subject of the warranty, contract, 4068  
or agreement would be exempt on its purchase from the tax imposed 4069  
by section 5739.02 of the Revised Code; 4070
- (11) To use the thing transferred as qualified research and 4071  
development equipment; 4072
- (12) To use or consume the thing transferred primarily in 4073  
storing, transporting, mailing, or otherwise handling purchased 4074  
sales inventory in a warehouse, distribution center, or similar 4075  
facility when the inventory is primarily distributed outside this 4076  
state to retail stores of the person who owns or controls the 4077  
warehouse, distribution center, or similar facility, to retail 4078  
stores of an affiliated group of which that person is a member, or 4079  
by means of direct marketing. Division (E)(12) of this section 4080  
does not apply to motor vehicles registered for operation on the 4081  
public highways. As used in division (E)(12) of this section, 4082  
"affiliated group" has the same meaning as in division (B)(3)(e) 4083  
of this section and "direct marketing" has the same meaning as in 4084  
division (B)(37) of section 5739.02 of the Revised Code. 4085
- (13) To use or consume the thing transferred to fulfill a 4086  
contractual obligation incurred by a warrantor pursuant to a 4087  
warranty provided as a part of the price of the tangible personal 4088  
property sold or by a vendor of a warranty, maintenance or service 4089  
contract, or similar agreement the provision of which is defined 4090  
as a sale under division (B)(7) of this section; 4091
- (14) To use or consume the thing transferred in the 4092  
production of a newspaper for distribution to the public; 4093
- (15) To use tangible personal property to perform a service 4094

listed in division (B)(3) of this section, if the property is or  
is to be permanently transferred to the consumer of the service as  
an integral part of the performance of the service.

As used in division (E) of this section, "thing" includes all  
transactions included in divisions (B)(3)(a), (b), and (e) of this  
section.

Sales conducted through a coin-operated device that activates  
vacuum equipment or equipment that dispenses water, whether or not  
in combination with soap or other cleaning agents or wax, to the  
consumer for the consumer's use on the premises in washing,  
cleaning, or waxing a motor vehicle, provided no other personal  
property or personal service is provided as part of the  
transaction, are not retail sales or sales at retail.

(F) "Business" includes any activity engaged in by any person  
with the object of gain, benefit, or advantage, either direct or  
indirect. "Business" does not include the activity of a person in  
managing and investing the person's own funds.

(G) "Engaging in business" means commencing, conducting, or  
continuing in business, and liquidating a business when the  
liquidator thereof holds itself out to the public as conducting  
such business. Making a casual sale is not engaging in business.

(H)(1) "Price," except as provided in divisions (H)(2) and  
(3) of this section, means the aggregate value in money of  
anything paid or delivered, or promised to be paid or delivered,  
in the complete performance of a retail sale, without any  
deduction on account of the cost of the property sold, cost of  
materials used, labor or service cost, interest, discount paid or  
allowed after the sale is consummated, or any other expense. If  
the retail sale consists of the rental or lease of tangible  
personal property, "price" means the aggregate value in money of  
anything paid or delivered, or promised to be paid or delivered,

in the complete performance of the rental or lease, without any 4126  
deduction for tax, interest, labor or service charge, damage 4127  
liability waiver, termination or damage charge, discount paid or 4128  
allowed after the lease is consummated, or any other expense. 4129  
Except as provided in division (H)(4) of this section, the sales 4130  
tax shall be calculated and collected by the lessor on each 4131  
payment made by the lessee. Price does not include the 4132  
consideration received as a deposit refundable to the consumer 4133  
upon return of a beverage container, the consideration received as 4134  
a deposit on a carton or case that is used for such returnable 4135  
containers, or the consideration received as a refundable security 4136  
deposit for the use of tangible personal property to the extent 4137  
that it actually is refunded, if the consideration for such 4138  
refundable deposit is separately stated from the consideration 4139  
received or to be received for the tangible personal property 4140  
transferred in the retail sale. Such separation must appear in the 4141  
sales agreement or on the initial invoice or initial billing 4142  
rendered by the vendor to the consumer. Price is the amount 4143  
received inclusive of the tax, provided the vendor establishes to 4144  
the satisfaction of the tax commissioner that the tax was added to 4145  
the price. When the price includes both a charge for tangible 4146  
personal property and a charge for providing a service and the 4147  
sale of the property and the charge for the service are separately 4148  
taxable, or have a separately determinable tax status, the price 4149  
shall be separately stated for each such charge so the tax can be 4150  
correctly computed and charged. 4151

The tax collected by the vendor from the consumer under this 4152  
chapter is not part of the price, but is a tax collection for the 4153  
benefit of the state and of counties levying an additional sales 4154  
tax pursuant to section 5739.021 or 5739.026 of the Revised Code 4155  
and of transit authorities levying an additional sales tax 4156  
pursuant to section 5739.023 of the Revised Code. Except for the 4157

discount authorized in section 5739.12 of the Revised Code, no 4158  
person other than the state or such a county or transit authority 4159  
shall derive any benefit from the collection or payment of such 4160  
tax. 4161

(2) In the case of a sale of any new motor vehicle by a new 4162  
motor vehicle dealer, as defined in section 4517.01 of the Revised 4163  
Code, in which another motor vehicle is accepted by the dealer as 4164  
part of the consideration received, "price" has the same meaning 4165  
as in division (H)(1) of this section, reduced by the credit 4166  
afforded the consumer by the dealer for the motor vehicle received 4167  
in trade. 4168

(3) In the case of a sale of any watercraft or outboard motor 4169  
by a watercraft dealer licensed in accordance with section 4170  
1547.543 of the Revised Code, in which another watercraft, 4171  
watercraft and trailer, or outboard motor is accepted by the 4172  
dealer as part of the consideration received, "price" has the same 4173  
meaning as in division (H)(1) of this section, reduced by the 4174  
credit afforded the consumer by the dealer for the watercraft, 4175  
watercraft and trailer, or outboard motor received in trade. 4176

(4) In the case of the lease of any motor vehicle ~~designed by~~ 4177  
~~the manufacturer to carry a load~~ having a gross vehicle weight of 4178  
not more than ~~one ton~~ thirteen thousand five hundred pounds, 4179  
watercraft, outboard motor, or aircraft, or the lease of any 4180  
tangible personal property, other than motor vehicles ~~designed by~~ 4181  
~~the manufacturer to carry a load~~ having a gross vehicle weight of 4182  
more than ~~one ton~~ thirteen thousand five hundred pounds, to be 4183  
used by the lessee primarily for business purposes, the sales tax 4184  
shall be collected by the vendor at the time the lease is 4185  
consummated and shall be calculated by the vendor on the basis of 4186  
the total amount to be paid by the lessee under the lease 4187  
agreement. If the total amount of the consideration for the lease 4188  
includes amounts that are not calculated at the time the lease is 4189

executed, the tax shall be calculated and collected by the vendor 4190  
at the time such amounts are billed to the lessee. In the case of 4191  
an open-end lease, the sales tax shall be calculated by the vendor 4192  
on the basis of the total amount to be paid during the initial 4193  
fixed term of the lease, and then for each subsequent renewal 4194  
period as it comes due. 4195

As used in divisions (H)(3) and (4) of this section, "motor 4196  
vehicle" has the same meaning as in section 4501.01 of the Revised 4197  
Code, "gross vehicle weight" means the unladen weight of a vehicle 4198  
fully equipped plus the maximum weight of the load to be carried 4199  
on the vehicle, and "watercraft" includes an outdrive unit 4200  
attached to the watercraft. 4201

(I) "Receipts" means the total amount of the prices of the 4202  
sales of vendors, provided that cash discounts allowed and taken 4203  
on sales at the time they are consummated are not included, minus 4204  
any amount deducted as a bad debt pursuant to section 5739.121 of 4205  
the Revised Code. "Receipts" does not include the sale price of 4206  
property returned or services rejected by consumers when the full 4207  
sale price and tax are refunded either in cash or by credit. 4208

(J) "Place of business" means any location at which a person 4209  
engages in business. 4210

(K) "Premises" includes any real property or portion thereof 4211  
upon which any person engages in selling tangible personal 4212  
property at retail or making retail sales and also includes any 4213  
real property or portion thereof designated for, or devoted to, 4214  
use in conjunction with the business engaged in by such person. 4215

(L) "Casual sale" means a sale of an item of tangible 4216  
personal property that was obtained by the person making the sale, 4217  
through purchase or otherwise, for the person's own use in this 4218  
state and was previously subject to any state's taxing 4219  
jurisdiction on its sale or use, and includes such items acquired 4220  
for the seller's use that are sold by an auctioneer employed 4221

directly by the person for such purpose, provided the location of  
such sales is not the auctioneer's permanent place of business. As  
used in this division, "permanent place of business" includes any  
location where such auctioneer has conducted more than two  
auctions during the year.

(M) "Hotel" means every establishment kept, used, maintained,  
advertised, or held out to the public to be a place where sleeping  
accommodations are offered to guests, in which five or more rooms  
are used for the accommodation of such guests, whether the rooms  
are in one or several structures.

(N) "Transient guests" means persons occupying a room or  
rooms for sleeping accommodations for less than thirty consecutive  
days.

(O) "Making retail sales" means the effecting of transactions  
wherein one party is obligated to pay the price and the other  
party is obligated to provide a service or to transfer title to or  
possession of the item sold. "Making retail sales" does not  
include the preliminary acts of promoting or soliciting the retail  
sales, other than the distribution of printed matter which  
displays or describes and prices the item offered for sale, nor  
does it include delivery of a predetermined quantity of tangible  
personal property or transportation of property or personnel to or  
from a place where a service is performed, regardless of whether  
the vendor is a delivery vendor.

(P) "Used directly in the rendition of a public utility  
service" means that property which is to be incorporated into and  
will become a part of the consumer's production, transmission,  
transportation, or distribution system and that retains its  
classification as tangible personal property after such  
incorporation; fuel or power used in the production, transmission,  
transportation, or distribution system; and tangible personal  
property used in the repair and maintenance of the production,

transmission, transportation, or distribution system, including 4254  
only such motor vehicles as are specially designed and equipped 4255  
for such use. Tangible personal property and services used 4256  
primarily in providing highway transportation for hire are not 4257  
used in providing a public utility service as defined in this 4258  
division. 4259

(Q) "Refining" means removing or separating a desirable 4260  
product from raw or contaminated materials by distillation or 4261  
physical, mechanical, or chemical processes. 4262

(R) "Assembly" and "assembling" mean attaching or fitting 4263  
together parts to form a product, but do not include packaging a 4264  
product. 4265

(S) "Manufacturing operation" means a process in which 4266  
materials are changed, converted, or transformed into a different 4267  
state or form from which they previously existed and includes 4268  
refining materials, assembling parts, and preparing raw materials 4269  
and parts by mixing, measuring, blending, or otherwise committing 4270  
such materials or parts to the manufacturing process. 4271  
"Manufacturing operation" does not include packaging. 4272

(T) "Fiscal officer" means, with respect to a regional 4273  
transit authority, the secretary-treasurer thereof, and with 4274  
respect to a county that is a transit authority, the fiscal 4275  
officer of the county transit board if one is appointed pursuant 4276  
to section 306.03 of the Revised Code or the county auditor if the 4277  
board of county commissioners operates the county transit system. 4278

(U) "Transit authority" means a regional transit authority 4279  
created pursuant to section 306.31 of the Revised Code or a county 4280  
in which a county transit system is created pursuant to section 4281  
306.01 of the Revised Code. For the purposes of this chapter, a 4282  
transit authority must extend to at least the entire area of a 4283  
single county. A transit authority that includes territory in more 4284

than one county must include all the area of the most populous  
county that is a part of such transit authority. County population  
shall be measured by the most recent census taken by the United  
States census bureau.

(V) "Legislative authority" means, with respect to a regional  
transit authority, the board of trustees thereof, and with respect  
to a county that is a transit authority, the board of county  
commissioners.

(W) "Territory of the transit authority" means all of the  
area included within the territorial boundaries of a transit  
authority as they from time to time exist. Such territorial  
boundaries must at all times include all the area of a single  
county or all the area of the most populous county that is a part  
of such transit authority. County population shall be measured by  
the most recent census taken by the United States census bureau.

(X) "Providing a service" means providing or furnishing  
anything described in division (B)(3) of this section for  
consideration.

(Y)(1)(a) "Automatic data processing" means processing of  
others' data, including keypunching or similar data entry services  
together with verification thereof, or providing access to  
computer equipment for the purpose of processing data.

(b) "Computer services" means providing services consisting  
of specifying computer hardware configurations and evaluating  
technical processing characteristics, computer programming, and  
training of computer programmers and operators, provided in  
conjunction with and to support the sale, lease, or operation of  
taxable computer equipment or systems.

(c) "Electronic information services" means providing access  
to computer equipment by means of telecommunications equipment for  
the purpose of either of the following:

- (i) Examining or acquiring data stored in or accessible to the computer equipment; 4316  
4317
- (ii) Placing data into the computer equipment to be retrieved by designated recipients with access to the computer equipment. 4318  
4319  
4320
- (d) "Automatic data processing, computer services, or electronic information services" shall not include personal or professional services. 4321  
4322  
4323
- (2) As used in divisions (B)(3)(e) and (Y)(1) of this section, "personal and professional services" means all services other than automatic data processing, computer services, or electronic information services, including but not limited to: 4324  
4325  
4326  
4327
- (a) Accounting and legal services such as advice on tax matters, asset management, budgetary matters, quality control, information security, and auditing and any other situation where the service provider receives data or information and studies, alters, analyzes, interprets, or adjusts such material; 4328  
4329  
4330  
4331  
4332
- (b) Analyzing business policies and procedures; 4333
- (c) Identifying management information needs; 4334
- (d) Feasibility studies, including economic and technical analysis of existing or potential computer hardware or software needs and alternatives; 4335  
4336  
4337
- (e) Designing policies, procedures, and custom software for collecting business information, and determining how data should be summarized, sequenced, formatted, processed, controlled, and reported so that it will be meaningful to management; 4338  
4339  
4340  
4341
- (f) Developing policies and procedures that document how business events and transactions are to be authorized, executed, and controlled; 4342  
4343  
4344
- (g) Testing of business procedures; 4345

(h) Training personnel in business procedure applications; 4346

(i) Providing credit information to users of such information 4347  
by a consumer reporting agency, as defined in the "Fair Credit 4348  
Reporting Act," 84 Stat. 1114, 1129 (1970), 15 U.S.C. 1681a(f), or 4349  
as hereafter amended, including but not limited to gathering, 4350  
organizing, analyzing, recording, and furnishing such information 4351  
by any oral, written, graphic, or electronic medium; 4352

(j) Providing debt collection services by any oral, written, 4353  
graphic, or electronic means. 4354

The services listed in divisions (Y)(2)(a) to (j) of this 4355  
section are not automatic data processing or computer services. 4356

(Z) "Highway transportation for hire" means the 4357  
transportation of personal property belonging to others for 4358  
consideration by any of the following: 4359

(1) The holder of a permit or certificate issued by this 4360  
state or the United States authorizing the holder to engage in 4361  
transportation of personal property belonging to others for 4362  
consideration over or on highways, roadways, streets, or any 4363  
similar public thoroughfare; 4364

(2) A person who engages in the transportation of personal 4365  
property belonging to others for consideration over or on 4366  
highways, roadways, streets, or any similar public thoroughfare 4367  
but who could not have engaged in such transportation on December 4368  
11, 1985, unless the person was the holder of a permit or 4369  
certificate of the types described in division (Z)(1) of this 4370  
section; 4371

(3) A person who leases a motor vehicle to and operates it 4372  
for a person described by division (Z)(1) or (2) of this section. 4373

(AA) "Telecommunications service" means the transmission of 4374  
any interactive, two-way electromagnetic communications, including 4375

voice, image, data, and information, through the use of any medium 4376  
such as wires, cables, microwaves, cellular radio, radio waves, 4377  
light waves, or any combination of those or similar media. 4378  
"Telecommunications service" includes message toll service even 4379  
though the vendor provides the message toll service by means of 4380  
wide area transmission type service or private communications 4381  
service purchased from another telecommunications service 4382  
provider, but does not include any of the following: 4383

(1) Sales of incoming or outgoing wide area transmission 4384  
service or wide area transmission type service, including eight 4385  
hundred or eight-hundred-type service, to the person contracting 4386  
for the receipt of that service; 4387

(2) Sales of private communications service to the person 4388  
contracting for the receipt of that service that entitles the 4389  
purchaser to exclusive or priority use of a communications channel 4390  
or group of channels between exchanges; 4391

(3) Sales of telecommunications service by companies subject 4392  
to the excise tax imposed by Chapter 5727. of the Revised Code; 4393

(4) Sales of telecommunications service to a provider of 4394  
telecommunications service, including access services, for use in 4395  
providing telecommunications service; 4396

(5) Value-added nonvoice services in which computer 4397  
processing applications are used to act on the form, content, 4398  
code, or protocol of the information to be transmitted; 4399

(6) Transmission of interactive video programming by a cable 4400  
television system as defined in section 505.90 of the Revised 4401  
Code. 4402

(BB) "Industrial laundry cleaning services" means removing 4403  
soil or dirt from or supplying towels, linens, or articles of 4404  
clothing that belong to others and are used in a trade or 4405  
business. 4406

(CC) "Magazines distributed as controlled circulation 4407  
publications" means magazines containing at least twenty-four 4408  
pages, at least twenty-five per cent editorial content, issued at 4409  
regular intervals four or more times a year, and circulated 4410  
without charge to the recipient, provided that such magazines are 4411  
not owned or controlled by individuals or business concerns which 4412  
conduct such publications as an auxiliary to, and essentially for 4413  
the advancement of the main business or calling of, those who own 4414  
or control them. 4415

(DD) "Landscaping and lawn care service" means the services 4416  
of planting, seeding, sodding, removing, cutting, trimming, 4417  
pruning, mulching, aerating, applying chemicals, watering, 4418  
fertilizing, and providing similar services to establish, promote, 4419  
or control the growth of trees, shrubs, flowers, grass, ground 4420  
cover, and other flora, or otherwise maintaining a lawn or 4421  
landscape grown or maintained by the owner for ornamentation or 4422  
other nonagricultural purpose. However, "landscaping and lawn care 4423  
service" does not include the providing of such services by a 4424  
person who has less than five thousand dollars in sales of such 4425  
services during the calendar year. 4426

(EE) "Private investigation and security service" means the 4427  
performance of any activity for which the provider of such service 4428  
is required to be licensed pursuant to Chapter 4749. of the 4429  
Revised Code, or would be required to be so licensed in performing 4430  
such services in this state, and also includes the services of 4431  
conducting polygraph examinations and of monitoring or overseeing 4432  
the activities on or in, or the condition of, the consumer's home, 4433  
business, or other facility by means of electronic or similar 4434  
monitoring devices. "Private investigation and security service" 4435  
does not include special duty services provided by off-duty police 4436  
officers, deputy sheriffs, and other peace officers regularly 4437  
employed by the state or a political subdivision. 4438

(FF) "Information services" means providing conversation, 4439  
giving consultation or advice, playing or making a voice or other 4440  
recording, making or keeping a record of the number of callers, 4441  
and any other service provided to a consumer by means of a nine 4442  
hundred telephone call, except when the nine hundred telephone 4443  
call is the means by which the consumer makes a contribution to a 4444  
recognized charity. 4445

(GG) "Research and development" means designing, creating, or 4446  
formulating new or enhanced products, equipment, or manufacturing 4447  
processes, and conducting scientific or technological inquiry and 4448  
experimentation in the physical sciences with the goal of 4449  
increasing scientific knowledge which may reveal the bases for new 4450  
or enhanced products, equipment, or manufacturing processes. 4451  
4452

(HH) "Qualified research and development equipment" means 4453  
capitalized tangible personal property, and leased personal 4454  
property that would be capitalized if purchased, used by a person 4455  
primarily to perform research and development. Tangible personal 4456  
property primarily used in testing, as defined in division (A)(4) 4457  
of section 5739.011 of the Revised Code, or used for recording or 4458  
storing test results, is not qualified research and development 4459  
equipment unless such property is primarily used by the consumer 4460  
in testing the product, equipment, or manufacturing process being 4461  
created, designed, or formulated by the consumer in the research 4462  
and development activity or in recording or storing such test 4463  
results. 4464

(II) "Building maintenance and janitorial service" means 4465  
cleaning the interior or exterior of a building and any tangible 4466  
personal property located therein or thereon, including any 4467  
services incidental to such cleaning for which no separate charge 4468  
is made. However, "building maintenance and janitorial service" 4469  
does not include the providing of such service by a person who has 4470

less than five thousand dollars in sales of such service during 4471  
the calendar year. 4472

(JJ) "Employment service" means providing or supplying 4473  
personnel, on a temporary or long-term basis, to perform work or 4474  
labor under the supervision or control of another, when the 4475  
personnel so supplied receive their wages, salary, or other 4476  
compensation from the provider of the service. "Employment 4477  
service" does not include: 4478

(1) Acting as a contractor or subcontractor, where the 4479  
personnel performing the work are not under the direct control of 4480  
the purchaser. 4481

(2) Medical and health care services. 4482

(3) Supplying personnel to a purchaser pursuant to a contract 4483  
of at least one year between the service provider and the 4484  
purchaser that specifies that each employee covered under the 4485  
contract is assigned to the purchaser on a permanent basis. 4486

(4) Transactions between members of an affiliated group, as 4487  
defined in division (B)(3)(e) of this section. 4488

(KK) "Employment placement service" means locating or finding 4489  
employment for a person or finding or locating an employee to fill 4490  
an available position. 4491

(LL) "Exterminating service" means eradicating or attempting 4492  
to eradicate vermin infestations from a building or structure, or 4493  
the area surrounding a building or structure, and includes 4494  
activities to inspect, detect, or prevent vermin infestation of a 4495  
building or structure. 4496

(MM) "Physical fitness facility service" means all 4497  
transactions by which a membership is granted, maintained, or 4498  
renewed, including initiation fees, membership dues, renewal fees, 4499  
monthly minimum fees, and other similar fees and dues, by a 4500

physical fitness facility such as an athletic club, health spa, or 4501  
gymnasium, which entitles the member to use the facility for 4502  
physical exercise. 4503

(NN) "Recreation and sports club service" means all 4504  
transactions by which a membership is granted, maintained, or 4505  
renewed, including initiation fees, membership dues, renewal fees, 4506  
monthly minimum fees, and other similar fees and dues, by a 4507  
recreation and sports club, which entitles the member to use the 4508  
facilities of the organization. "Recreation and sports club" means 4509  
an organization that has ownership of, or controls or leases on a 4510  
continuing, long-term basis, the facilities used by its members 4511  
and includes an aviation club, gun or shooting club, yacht club, 4512  
card club, swimming club, tennis club, golf club, country club, 4513  
riding club, amateur sports club, or similar organization. 4514

(OO) "Livestock" means farm animals commonly raised for food 4515  
or food production, and includes but is not limited to cattle, 4516  
sheep, goats, swine, and poultry. "Livestock" does not include 4517  
invertebrates, fish, amphibians, reptiles, horses, domestic pets, 4518  
animals for use in laboratories or for exhibition, or other 4519  
animals not commonly raised for food or food production. 4520

(PP) "Livestock structure" means a building or structure used 4521  
exclusively for the housing, raising, feeding, or sheltering of 4522  
livestock, and includes feed storage or handling structures and 4523  
structures for livestock waste handling. 4524

(QQ) "Horticulture" means the growing, cultivation, and 4525  
production of flowers, fruits, herbs, vegetables, sod, mushrooms, 4526  
and nursery stock. As used in this division, "nursery stock" has 4527  
the same meaning as in section 927.51 of the Revised Code. 4528

(RR) "Horticulture structure" means a building or structure 4529  
used exclusively for the commercial growing, raising, or 4530  
overwintering of horticultural products, and includes the area 4531

used for stocking, storing, and packing horticultural products 4532  
when done in conjunction with the production of those products. 4533

(SS) "Newspaper" means an unbound publication bearing a title 4534  
or name that is regularly published, at least as frequently as 4535  
biweekly, and distributed from a fixed place of business to the 4536  
public in a specific geographic area, and that contains a 4537  
substantial amount of news matter of international, national, or 4538  
local events of interest to the general public. 4539

(TT) "Professional racing team" means a person that employs 4540  
at least twenty full-time employees for the purpose of conducting 4541  
a motor vehicle racing business for profit. The person must 4542  
conduct the business with the purpose of racing one or more motor 4543  
racing vehicles in at least ten competitive professional racing 4544  
events each year that comprise all or part of a motor racing 4545  
series sanctioned by one or more motor racing sanctioning 4546  
organizations. A "motor racing vehicle" means a vehicle for which 4547  
the chassis, engine, and parts are designed exclusively for motor 4548  
racing, and does not include a stock or production model vehicle 4549  
that may be modified for use in racing. For the purposes of this 4550  
division: 4551

(1) A "competitive professional racing event" is a motor 4552  
vehicle racing event sanctioned by one or more motor racing 4553  
sanctioning organizations, at which aggregate cash prizes in 4554  
excess of eight hundred thousand dollars are awarded to the 4555  
competitors. 4556

(2) "Full-time employee" means an individual who is employed 4557  
for consideration for thirty-five or more hours a week, or who 4558  
renders any other standard of service generally accepted by custom 4559  
or specified by contract as full-time employment. 4560

(UU)(1) "Prepaid authorization number" means a numeric or 4561  
alphanumeric combination that represents a prepaid account that 4562

can be used by the account holder solely to obtain 4563  
telecommunications service, and includes any renewals or increases 4564  
in the prepaid account. 4565

(2) "Prepaid telephone calling card" means a tangible item 4566  
that contains a prepaid authorization number that can be used 4567  
solely to obtain telecommunications service, and includes any 4568  
renewals or increases in the prepaid account. 4569

(VV) "Lease" means any transfer for a consideration of the 4570  
possession of and right to use, but not title to, tangible 4571  
personal property for a fixed period of time greater than 4572  
~~twenty-eight~~ thirty days or for an open-ended period of time with 4573  
a minimum fixed period of more than ~~twenty-eight~~ thirty days. 4574

**Sec. 5741.01.** As used in this chapter: 4575

(A) "Person" includes individuals, receivers, assignees, 4576  
trustees in bankruptcy, estates, firms, partnerships, 4577  
associations, joint-stock companies, joint ventures, clubs, 4578  
societies, corporations, business trusts, governments, and 4579  
combinations of individuals of any form. 4580

(B) "Storage" means and includes any keeping or retention in 4581  
this state for use or other consumption in this state. 4582

(C) "Use" means and includes the exercise of any right or 4583  
power incidental to the ownership of the thing used. A thing is 4584  
also "used" in this state if its consumer gives or otherwise 4585  
distributes it, without charge, to recipients in this state. 4586

(D) "Purchase" means acquired or received for a 4587  
consideration, whether such acquisition or receipt was effected by 4588  
a transfer of title, or of possession, or of both, or a license to 4589  
use or consume; whether such transfer was absolute or conditional, 4590  
and by whatever means the transfer was effected; and whether the 4591  
consideration was money, credit, barter, or exchange. Purchase 4592

includes production, even though the article produced was used, 4593  
stored, or consumed by the producer. The transfer of copyrighted 4594  
motion picture films for exhibition purposes is not a purchase, 4595  
except such films as are used solely for advertising purposes. 4596

(E) "Seller" means the person from whom a purchase is made, 4597  
and includes every person engaged in this state or elsewhere in 4598  
the business of selling tangible personal property or providing a 4599  
service for storage, use, or other consumption or benefit in this 4600  
state; and when, in the opinion of the tax commissioner, it is 4601  
necessary for the efficient administration of this chapter, to 4602  
regard any salesman, representative, peddler, or canvasser as the 4603  
agent of a dealer, distributor, supervisor, or employer under whom 4604  
the person operates, or from whom the person obtains tangible 4605  
personal property, sold by the person for storage, use, or other 4606  
consumption in this state, irrespective of whether or not the 4607  
person is making such sales on the person's own behalf, or on 4608  
behalf of such dealer, distributor, supervisor, or employer, the 4609  
commissioner may regard the person as such agent, and may regard 4610  
such dealer, distributor, supervisor, or employer as the seller. 4611  
"Seller" does not include any person to the extent the person 4612  
provides a communications medium, such as, but not limited to, 4613  
newspapers, magazines, radio, television, or cable television, by 4614  
means of which sellers solicit purchases of their goods or 4615  
services. 4616

(F) "Consumer" means any person who has purchased tangible 4617  
personal property or has been provided a service for storage, use, 4618  
or other consumption or benefit in this state. "Consumer" does not 4619  
include a person who receives, without charge, tangible personal 4620  
property or a service. 4621

A person who performs a facility management or similar 4622  
service contract for a contractee is a consumer of all tangible 4623  
personal property and services purchased for use in connection 4624

with the performance of such contract, regardless of whether title  
to any such property vests in the contractee. The purchase of such  
property and services is not subject to the exception for resale  
under division (E)(1) of section 5739.01 of the Revised Code.

(G)(1) "Price," except in the case of watercraft, outboard  
motors, or new motor vehicles, means the aggregate value in money  
of anything paid or delivered, or promised to be paid or  
delivered, by a consumer to a seller in the complete performance  
of the transaction by which tangible personal property has been  
purchased or a service has been provided for storage, use, or  
other consumption or benefit in this state, without any deduction  
or exclusion on account of the cost of the property sold, cost of  
materials used, labor or service cost, interest, discount paid or  
allowed after the sale is consummated, or any other expense. If  
the transaction consists of the rental or lease of tangible  
personal property, "price" means the aggregate value in money of  
anything paid or delivered, or promised to be paid or delivered by  
the lessee to the lessor, in the complete performance of the  
rental or lease, without any deduction or exclusion of tax,  
interest, labor or service charge, damage liability waiver,  
termination or damage charge, discount paid or allowed after the  
lease is consummated, or any other expense. Except as provided in  
division (G)(6) of this section, the tax shall be calculated and  
collected by the lessor on each payment made by the lessee. If a  
consumer produces the tangible personal property used by the  
consumer, the price is the produced cost of such tangible personal  
property. The tax collected by the seller from the consumer under  
such sections is not a part of the price, but is a tax collection  
for the benefit of the state, and of counties levying an  
additional use tax pursuant to section 5741.021 or 5741.023 of the  
Revised Code and of transit authorities levying an additional use  
tax pursuant to section 5741.022 of the Revised Code and, except

for the discount authorized under section 5741.12 of the Revised Code, no person other than the state or such a county or transit authority shall derive any benefit from the collection or payment of such tax.

4658  
4659  
4660  
4661

(2) In the case of watercraft, outboard motors, or new motor vehicles, "price" has the same meaning as in division (H) of section 5739.01 of the Revised Code.

4662  
4663  
4664

(3) In the case of a nonresident business consumer that purchases and uses tangible personal property outside this state and subsequently temporarily stores, uses, or otherwise consumes such tangible personal property in the conduct of business in this state, the consumer or the tax commissioner may determine the price based on the value of the temporary storage, use, or other consumption, in lieu of determining the price pursuant to division (G)(1) of this section. A price determination made by the consumer is subject to review and redetermination by the commissioner.

4665  
4666  
4667  
4668  
4669  
4670  
4671  
4672  
4673  
4674

(4) In the case of tangible personal property held in this state as inventory for sale or lease, and that is temporarily stored, used, or otherwise consumed in a taxable manner, the price is the value of the temporary use. A price determination made by the consumer is subject to review and redetermination by the commissioner.

4675  
4676  
4677  
4678  
4679  
4680

(5) In the case of tangible personal property originally purchased and used by the consumer outside this state, and that becomes permanently stored, used, or otherwise consumed in this state more than six months after its acquisition by the consumer, the consumer or the tax commissioner may determine the price based on the current value of such tangible personal property, in lieu of determining the price pursuant to division (G)(1) of this section. A price determination made by the consumer is subject to review and redetermination by the commissioner.

4681  
4682  
4683  
4684  
4685  
4686  
4687  
4688  
4689

(6) In the case of the purchase or lease of any motor vehicle 4690  
~~designed by the manufacturer to carry a load having a gross~~ 4691  
~~vehicle wieght~~ of not more than ~~one-ton~~ thirteen thousand five 4692  
hundred pounds, watercraft, outboard motor, or aircraft, or the 4693  
lease of any tangible personal property, other than motor vehicles 4694  
~~designed by the manufacturer to carry a load having a gross~~ 4695  
~~vehicle weight~~ of more than ~~one-ton~~ thirteen thousand five hundred 4696  
pounds, to be used by the lessee primarily for business purposes, 4697  
the tax shall be collected by the vendor at the time the lease is 4698  
consummated and calculated by the vendor on the basis of the total 4699  
amount to be paid by the lessee under the lease agreement. If the 4700  
total amount of the consideration for the lease includes amounts 4701  
that are not calculated at the time the lease is executed, the tax 4702  
shall be calculated and collected by the vendor at the time such 4703  
amounts are billed to the lessee. In the case of an open-end 4704  
lease, the tax shall be calculated by the vendor on the basis of 4705  
the total amount to be paid during the initial fixed term of the 4706  
lease, and then for each subsequent renewal period as it comes 4707  
due. As used in division (G)(6) of this section only, "motor 4708  
vehicle" has the same meaning as in section 4501.01 of the Revised 4709  
Code, and "gross vehicle weight" means the unladen weight of a 4710  
vehicle fully equipped plus the maximum weight of the load to be 4711  
carried on the vehicle. 4712

(H) "Nexus with this state" means that the seller engages in 4713  
continuous and widespread solicitation of purchases from residents 4714  
of this state or otherwise purposefully directs its business 4715  
activities at residents of this state. 4716

(I) "Substantial nexus with this state" means that the seller 4717  
has sufficient contact with this state, in accordance with Section 4718  
8 of Article I of the Constitution of the United States, to allow 4719  
the state to require the seller to collect and remit use tax on 4720  
sales of tangible personal property or services made to consumers 4721

in this state. "Substantial nexus with this state" exists when the 4722  
seller does any of the following: 4723

(1) Maintains a place of business within this state, whether 4724  
operated by employees or agents of the seller, by a member of an 4725  
affiliated group, as described in division (B)(3)(e) of section 4726  
5739.01 of the Revised Code, of which the seller is a member, or 4727  
by a franchisee using a trade name of the seller; 4728

(2) Regularly has employees, agents, representatives, 4729  
solicitors, installers, repairmen, salesmen, or other individuals 4730  
in this state for the purpose of conducting the business of the 4731  
seller; 4732

(3) Uses a person in this state for the purpose of receiving 4733  
or processing orders of the seller's goods or services; 4734

(4) Makes regular deliveries of tangible personal property 4735  
into this state by means other than common carrier; 4736

(5) Has membership in an affiliated group, as described in 4737  
division (B)(3)(e) of section 5739.01 of the Revised Code, at 4738  
least one other member of which has substantial nexus with this 4739  
state; 4740

(6) Owns tangible personal property that is rented or leased 4741  
to a consumer in this state, or offers tangible personal property, 4742  
on approval, to consumers in this state; 4743

(7) Is registered with the secretary of state to do business 4744  
in this state or is registered or licensed by any state agency, 4745  
board, or commission to transact business in this state or to make 4746  
sales to persons in this state; 4747

(8) Has any other contact with this state that would allow 4748  
this state to require the seller to collect and remit use tax 4749  
under Section 8 of Article I of the Constitution of the United 4750  
States. 4751

(J) "Fiscal officer" means, with respect to a regional transit authority, the secretary-treasurer thereof, and with respect to a county which is a transit authority, the fiscal officer of the county transit board appointed pursuant to section 306.03 of the Revised Code or, if the board of county commissioners operates the county transit system, the county auditor. 4752  
4753  
4754  
4755  
4756  
4757  
4758

(K) "Territory of the transit authority" means all of the area included within the territorial boundaries of a transit authority as they from time to time exist. Such territorial boundaries must at all times include all the area of a single county or all the area of the most populous county which is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau. 4759  
4760  
4761  
4762  
4763  
4764  
4765

(L) "Transit authority" means a regional transit authority created pursuant to section 306.31 of the Revised Code or a county in which a county transit system is created pursuant to section 306.01 of the Revised Code. For the purposes of this chapter, a transit authority must extend to at least the entire area of a single county. A transit authority which includes territory in more than one county must include all the area of the most populous county which is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau. 4766  
4767  
4768  
4769  
4770  
4771  
4772  
4773  
4774  
4775

(M) "Providing a service" has the same meaning as in division (X) of section 5739.01 of the Revised Code. 4776  
4777

(N) "Other consumption" includes receiving the benefits of a service. 4778  
4779

(O) "Lease" means any transfer for a consideration of the possession of and right to use, but not title to, tangible personal property for a fixed period of time greater than 4780  
4781  
4782

~~twenty-eight~~ thirty days or for an open-ended period of time with 4783  
a minimum fixed period of more than ~~twenty-eight~~ thirty days. 4784

**Section 2.** That existing sections 105.41, 133.06, 135.18, 4785  
135.181, 151.01, 151.09, 151.40, 175.03, 727.01, 3318.03, 3318.04, 4786  
3318.05, 3318.06, 3318.061, 3318.08, 3318.084, 3318.11, 3318.36, 4787  
3318.362, 3318.363, 3318.38, 3333.17, 3345.05, 5705.19, 5705.218, 4788  
5709.081, 5709.82, 5739.01, and 5741.01 of the Revised Code are 4789  
hereby repealed. 4790

**Section 3.** All items set forth in Sections 3.01 to 3.04 of 4791  
this act are hereby appropriated out of any moneys in the General 4792  
Revenue Fund (GRF) that are not otherwise appropriated. 4793

**Section 3.01.** DAS DEPARTMENT OF ADMINISTRATIVE SERVICES 4794

		Reappropriations	
CAP-773	Governor's Residence Restoration	\$ 4,705	4795
CAP-785	Rural Areas Historical Projects	\$ 60,000	4796
CAP-786	Rural Areas Community Improvements	\$ 2,197,500	4797
CAP-804	Day Care Centers	\$ 6,473	4798
CAP-817	Urban Areas Community Improvements	\$ 5,180,000	4799
Total Department of Administrative Services		\$ 7,448,678	4800

RURAL AREAS HISTORICAL PROJECTS 4801

From the foregoing appropriation item CAP-785, Rural Areas 4802  
Historical Projects, \$50,000 shall be for the Osnaburg Historical 4803  
Society-Werner Inn renovations; and \$10,000 for the Historic 4804  
Hopewell Church. 4805

RURAL AREAS COMMUNITY IMPROVEMENTS 4806

From the foregoing appropriation item CAP-786, Rural Areas 4807  
Community Improvements, grants shall be made for the following 4808  
projects: \$20,000 for the Smith Field Memorial Foundation; 4809  
\$100,000 for the Gallia County Industrial Park; \$75,000 for the 4810

People Working Cooperatively Facility Improvements; \$200,000 for 4811  
the Champaign YMCA; \$50,000 for the Clermont County Courthouse; 4812  
\$50,000 for the Clermont County Visitor Information Center; 4813  
\$75,000 for the Bellepoint Bridge Reconstruction; \$150,000 for the 4814  
Fairport Community Center; \$100,000 for the Mentor Fire & Police 4815  
Headquarters Relocation; \$65,000 for the Perry Township Industrial 4816  
Park Land Acquisition; \$20,000 for the Red Mill Creek Water 4817  
Retention Basin; \$25,000 for the Lawrence County Water Projects; 4818  
\$350,000 for the Cave Lake Center for Community Leadership; 4819  
\$300,000 for County Jail Improvements - Sandusky County; \$50,000 4820  
for the Southern Ohio Port Authority; \$45,000 for the Bradner 4821  
Historic Building; \$22,500 for the Clermont County Animal Shelter; 4822  
\$225,000 for the Sherwood-Davidson House - Licking County; and 4823  
\$225,000 for the Jerome Buckingham House - Licking County; and 4824  
\$50,000 for the Utica Historical Society. 4825

THE AMOUNT REAPPROPRIATED FOR RURAL AREAS COMMUNITY 4826  
IMPROVEMENTS 4827

The amount reappropriated for the foregoing appropriation 4828  
item CAP-786, Rural Areas Community Improvements, is \$100,080 plus 4829  
the unencumbered and unallotted balance as of June 30, 2002, in 4830  
appropriation item CAP-786, Rural Areas Community Improvements. 4831

URBAN AREAS COMMUNITY IMPROVEMENTS 4832

From the foregoing appropriation item CAP-817, Urban Areas 4833  
Community Improvements, grants shall be made for the following 4834  
projects: \$100,000 for the Maumee Youth Center; \$25,000 for the 4835  
Columbus Civic Arena Development Planning; \$50,000 for the Brown 4836  
Senior Center Renovations; \$100,000 for the Hanna Fountain 4837  
Renovations - Cleveland; \$100,000 for Project AHEAD Facility 4838  
Improvements; \$75,000 for the J Frank-Troy Senior Citizens Center; 4839  
\$50,000 for the African American Museum in Cleveland; \$200,000 for 4840  
the North Royalton Recreation Center; \$1,900,000 for the Columbus 4841  
Downtown Initiatives Plan; \$150,000 for Clintonville Improvements; 4842

\$35,000 for the Grove City YMCA; \$15,000 for the Victorian Village  
Society; \$50,000 for the Beech Acres Family Center; \$25,000 for  
the Health Education Center; \$500,000 for the Convention Center  
Expansion Center; \$1,000,000 for the Lincoln Heights Health Center  
Improvements; \$100,000 for the Canton Jewish Women's Center;  
\$450,000 for the Gateway Social Services Building; \$85,000 for the  
Akron Jewish Community Center Renovations; \$50,000 for the Loew  
Field Improvements; \$20,000 for the Harvard Community Services  
Center Renovation & Expansion; \$20,000 for the Collinwood  
Community Service Center Repair & Renovation; and \$80,000 for  
Bowman Park - City of Toledo.

4843  
4844  
4845  
4846  
4847  
4848  
4849  
4850  
4851  
4852  
4853

THE AMOUNT APPROPRIATED FOR URBAN AREAS COMMUNITY  
IMPROVEMENTS

The amount reappropriated for the foregoing appropriation  
item CAP-817, Urban Areas Community Improvements, is the  
unencumbered and unallotted balance as of June 30, 2002, in  
appropriation item CAP-817, Urban Areas Community Improvements,  
less \$332,000.

4854  
4855  
4856  
4857  
4858  
4859  
4860

Reappropriations

**Section 3.02.** AFC ARTS AND SPORTS FACILITIES COMMISSION 4861

CAP-047	Cincinnati Classical Music Hall of Fame	\$	300,000	4862
CAP-819	Cooper Stadium Relocation Feasibility Study	\$	350,000	4863
Total Arts and Sports Facilities Commission		\$	650,000	4864

COOPER STADIUM RELOCATION FEASIBILITY STUDY 4865

Notwithstanding division (F) of section 3383.07 of the  
Revised Code, all or a portion of the foregoing appropriation item  
CAP-819, Cooper Stadium Relocation Feasibility Study, may be  
expended for the cost of preparing a financial and development  
plan or feasibility study, renovation, and purchasing engineering  
and architectural services, designs, plans, specifications,

4866  
4867  
4868  
4869  
4870  
4871

surveys, and estimates of costs for Cooper Stadium. Any amount 4872  
 expended for that purpose from the appropriation shall count 4873  
 toward the maximum 15 per cent of the construction cost of the 4874  
 sports facility to be paid from state funds. 4875

Reappropriations

**Section 3.03. OHS OHIO HISTORICAL SOCIETY 4876**

CAP-745 Historic Sites/Museums - Emergency Repair \$ 302,880 4877  
 Total Ohio Historical Society \$ 302,880 4878

Reappropriations

**Section 3.04. DNR DEPARTMENT OF NATURAL RESOURCES 4880**

CAP-702 Upgrade Underground Fuel Tanks \$ 296,963 4881  
 CAP-703 Cap Abandoned Water Wells \$ 357,481 4882  
 CAP-823 Cost Sharing-Pollution Abatement \$ 33,614 4883  
 CAP-847 Assistance to Local Governments for \$ 25,000 4884  
     Conservation Works of Improvement  
 CAP-848 Hazardous Dam Repair \$ 91,521 4885  
 CAP-875 Ohio River Access \$ 100,000 4886  
 CAP-929 Hazardous Waste/Asbestos Abatement \$ 294,744 4887  
 CAP-931 Wastewater/Water Systems Upgrades \$ 32,205 4888  
 CAP-932 Wetlands/Waterfront Development and \$ 32,460 4889  
     Acquisition  
 CAP-942 Local Parks Projects \$ 5,225 4890  
 CAP-999 Geographic Information Management System \$ 1,085 4891  
 Total Department of Natural Resources \$ 1,270,298 4892  
 TOTAL GRF General Revenue Fund \$ 9,671,856 4893

**Section 3.05. No expenditures shall be made from any of the 4895**  
 items appropriated from the General Revenue Fund in Sections 3.01 4896  
 to 3.04 of this act until the funds are released by the 4897  
 Controlling Board. 4898

Section 4. All items set forth in this section are hereby 4899  
appropriated out of any moneys in the state treasury to the credit 4900  
of the Wildlife Fund (Fund 015) that are not otherwise 4901  
appropriated. 4902

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES 4903

CAP-012	Land Acquisition	\$	3,104,214	4904
CAP-015	Highlandtown Wildlife Area	\$	11,003	4905
CAP-065	Grant Lake	\$	3,569	4906
CAP-088	Monroe Wildlife Area	\$	6,164	4907
CAP-096	Rush Run Wildlife Area	\$	1,800	4908
CAP-117	Cooper Hollow Wildlife Area	\$	4,815	4909
CAP-198	Veto Lake Wildlife Area	\$	12,126	4910
CAP-216	Killbuck Creek Wildlife Area	\$	550	4911
CAP-387	Access Development	\$	2,000,000	4912
CAP-702	Upgrade Underground Fuel Tanks	\$	100,000	4913
CAP-703	Cap Abandoned Water Wells	\$	50,000	4914
CAP-754	Tiffin River Wildlife Area	\$	1,000	4915
CAP-785	K.H. Butler Ohio River Access	\$	65,349	4916
CAP-804	Lake La Su An Wildlife Area	\$	400	4917
CAP-834	Appraisal Fees - Statewide	\$	48,605	4918
CAP-852	Wildlife Area Building	\$	4,000,000	4919
	Development/Renovation			
CAP-881	Dam Rehabilitation	\$	1,000,000	4920
CAP-959	Sandusky Wildlife Office	\$	50,000	4921
CAP-995	Boundary Protection	\$	50,000	4922
	Total Department of Natural Resources	\$	10,509,595	4923
	TOTAL Wildlife Fund	\$	10,509,595	4924

LAND ACQUISITION 4925

The amount reappropriated for the foregoing appropriation 4926  
item CAP-012, Land Acquisition, is the unencumbered and unallotted 4927  
balance as of June 30, 2002, in appropriation item CAP-012, Land 4928

Acquisition, less \$158,125.	4929
ACCESS DEVELOPMENT	4930
The amount reappropriated for the foregoing appropriation	4931
item CAP-387, Access Development, is the unencumbered and	4932
unallotted balance as of June 30, 2002, in appropriation item	4933
CAP-387, Access Development, plus \$1,519,533.	4934
UPGRADE UNDERGROUND FUEL TANKS	4935
The amount reappropriated for the foregoing appropriation	4936
item CAP-702, Upgrade Underground Fuel Tanks, is the unencumbered	4937
and unallotted balance as of June 30, 2002, in appropriation item	4938
CAP-702, Upgrade Underground Fuel Tanks, less \$112,271.	4939
CAP ABANDONED WATER WELLS	4940
The amount reappropriated for the foregoing appropriation	4941
item CAP-703, Cap Abandoned Water Wells, is the unencumbered and	4942
unallotted balance as of June 30, 2002, in appropriation item	4943
CAP-703, Cap Abandoned Water Wells, less \$14,057.	4944
WILDLIFE AREA BUILDING DEVELOPMENT/RENOVATIONS	4945
The amount reappropriated for the foregoing appropriation	4946
item CAP-852, Wildlife Area Building Development/Renovations, is	4947
the unencumbered and unallotted balance as of June 30, 2002, in	4948
appropriation item CAP-852, Wildlife Area Building	4949
Development/Renovations, less \$1,505,949.	4950
DAM REHABILITATION	4951
The amount reappropriated for the foregoing appropriation	4952
item CAP-881, Dam Rehabilitation, is the unencumbered and	4953
unallotted balance as of June 30, 2002, in appropriation item	4954
CAP-881, Dam Rehabilitation, less \$1,829,541.	4955
BOUNDARY PROTECTION	4956
The amount reappropriated for the foregoing appropriation	4957

item CAP-995, Boundary Protection, is \$50,000. 4958

**Section 5.** The items set forth in this section are hereby 4959  
appropriated out of any moneys in the state treasury to the credit 4960  
of the Public School Building Fund (Fund 021) that are not 4961  
otherwise appropriated. 4962

Reappropriations

SFC SCHOOL FACILITIES COMMISSION			4963
CAP-622	Public School Buildings	\$ 5,000,000	4964
CAP-777	Disability Access Projects	\$ 6,000,000	4965
CAP-778	Exceptional Needs	\$ 24,000,000	4966
CAP-781	Big Eight Renovation Program	\$ 6,770,781	4967
CAP-783	Emergency School Building Assistance	\$ 15,000,000	4968
Total School Facilities Commission			4969
			\$ 56,770,781
TOTAL Public School Building Fund			4970
			\$ 56,770,781

DISABILITY ACCESS PROJECTS 4971

The amount reappropriated for appropriation item CAP-777, 4972  
Disability Access Projects, shall be used to fund capital projects 4973  
pursuant to this section that make buildings more accessible to 4974  
students with disabilities. 4975

(A) As used in this section: 4976

(1) "Percentile" means the percentile in which a school 4977  
district is ranked according to the fiscal year 1998 ranking of 4978  
school districts with regard to income and property wealth under 4979  
division (B) of section 3318.011 of the Revised Code. 4980

(2) "School district" means a city, local, or exempted 4981  
village school district, but excludes a school district that is 4982  
one of the state's twenty-one urban school districts as defined in 4983  
division (O) of section 3317.02 of the Revised Code as that 4984  
section existed prior to July 1, 1998. 4985

(3) "Valuation per pupil" means a district's total taxable 4986

value as defined in section 3317.02 of the Revised Code divided by 4987  
the district's ADM as defined in division (A) of section 3317.02 4988  
of the Revised Code as that section existed prior to July 1, 1998. 4989

(B) The School Facilities Commission shall adopt rules for 4990  
awarding grants to school districts with a valuation per pupil 4991  
less than \$200,000, to be used for construction, reconstruction, 4992  
or renovation projects in classroom facilities, the purpose of 4993  
which is to improve access to such facilities by physically 4994  
handicapped persons. The rules shall include application 4995  
procedures. No school district shall be awarded a grant under this 4996  
section in excess of \$100,000. In addition, any school district 4997  
shall be required to pay a percentage of the cost of the project 4998  
for which the grant is being awarded equal to the percentile in 4999  
which the district is so ranked. 5000

**Section 5.01. BIG EIGHT SCHOOL DISTRICTS** 5001

(A) The amounts reappropriated for appropriation item 5002  
CAP-781, Big Eight Renovation Program, shall be used by the School 5003  
Facilities Commission to provide funds to the big eight school 5004  
districts as defined in section 3314.02 of the Revised Code to be 5005  
used for major renovations and repairs of school facilities. Big 5006  
eight school districts that levy at least 2.5 voted mills for 5007  
permanent improvements shall also be eligible to expend funding 5008  
from this program for additions to existing facilities. However, 5009  
any big eight school district that does so shall receive no 5010  
financial assistance from the School Facilities Commission for the 5011  
purpose of replacing that facility for a period of at least twenty 5012  
years. These appropriations shall be allocated to the big eight 5013  
school districts on a per-pupil basis, based on fiscal year 1999 5014  
average daily membership as defined in section 3317.03 of the 5015  
Revised Code. School districts that receive conditional approval 5016  
by the Controlling Board, pursuant to section 3318.04 of the 5017

Revised Code, to participate in the Accelerated Urban School Building Program shall no longer be eligible to receive funding from the Big Eight Renovation Program, except for appropriations already encumbered at the time the conditional approval is granted. To be eligible to receive appropriations from the Big Eight Renovation Program, each school district shall:

(1) Provide a 100 per cent match from funds that are approved by the School Facilities Commission. Except for, after the effective date of this section, eligible districts in the first through fiftieth percentile, as determined under section 3318.011 of the Revised Code, shall provide a match to their remaining balances in the Big Eight Renovation Program as of the effective date of this section such that the local match is equal to the district's percentage share contribution as determined under the fiscal year 2002 three-year average adjusted valuation per pupil list pursuant to section 3318.011 of the Revised Code.

(2) Develop and submit a capital renovations plan for the use of the state and local funds, subject to approval by the School Facilities Commission.

(B) The Executive Director of the School Facilities Commission may from time to time request the Director of Budget and Management to transfer any unencumbered and unallotted balances in appropriation item CAP-781, Big Eight Renovation Program, to appropriation item CAP-622, Public School Buildings. Any amounts transferred are hereby appropriated.

**Section 6.** The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Highway Safety Fund (Fund 036) that are not otherwise appropriated.

Reappropriations

5018  
5019  
5020  
5021  
5022  
5023  
5024  
5025  
5026  
5027  
5028  
5029  
5030  
5031  
5032  
5033  
5034  
5035  
5036  
5037  
5038  
5039  
5040  
5041  
5042  
5043  
5044  
5045  
5046  
5047

CAP-045	Platform Scales Improvements	\$	200,000	5048
CAP-058	Construct District 3 Complex	\$	444,338	5049
CAP-059	Patrol Post ADA Compliance	\$	272,769	5050
CAP-065	Replace Windows at the Academy	\$	79,000	5051
CAP-071	Construct Georgetown Patrol Post	\$	1,900,000	5052
CAP-072	Patrol Academy Infrastructure Improvements	\$	723,250	5053
CAP-073	Massillon District HQ Renovations	\$	534,800	5054
CAP-074	Construct Warren District Blue Title Facility	\$	500,000	5055
CAP-075	Cambridge District HQ Post Renovations	\$	394,208	5056
Total Department of Public Safety		\$	5,048,365	5057
TOTAL Highway Safety Fund		\$	5,048,365	5058

**Section 7.** All items set forth in this section are hereby 5060  
appropriated out of any moneys in the state treasury to the credit 5061  
of the Waterways Safety Fund (Fund 086) that are not otherwise 5062  
appropriated. 5063

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES				5064
CAP-324	Cooperative Funding for Boating Facilities	\$	6,110,250	5065
CAP-781	Vinton Community Park Ramp	\$	11,513	5066
CAP-844	Put-in-Bay Township Port Authority	\$	6,466	5067
CAP-874	Recreational Harbor Evaluation Project	\$	910,000	5068
CAP-934	Operations Facilities Development	\$	1,050,000	5069
Total Department of Natural Resources		\$	8,088,229	5070
TOTAL Waterways Safety Fund		\$	8,088,229	5071

**Section 8.** All items set forth in this section are hereby 5073  
appropriated out of any moneys in the state treasury to the credit 5074  
of the Underground Parking Garage Operating Fund (Fund 208) that 5075  
are not otherwise appropriated. 5076

		Reappropriations	
	CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD		5077
CAP-003	Renovate Garage Offices	\$ 199,317	5078
CAP-004	Emergency Generator and Lighting System	\$ 200,000	5079
CAP-007	Garage Elevator Upgrades	\$ 5,670	5080
CAP-008	Install Garage Oil Interceptor System	\$ 60,000	5081
CAP-009	Garage Fire Suppression System	\$ 1,050,000	5082
	Total Capitol Square Review and Advisory Board	\$ 1,514,987	5083
	TOTAL Underground Parking Garage Operating Fund	\$ 1,514,987	5084

**Section 9.** All items set forth in this section are hereby 5086  
appropriated out of any moneys in the state treasury to the credit 5087  
of the Nursing Home - Federal Fund (Fund 319) that are not 5088  
otherwise appropriated. 5089

		Reappropriations	
	OVH OHIO VETERANS' HOME		5090
CAP-759	Veterans Home Construction - Federal	\$ 10,238,750	5091
	Funding		
	Total Ohio Veterans Home	\$ 10,238,750	5092
	TOTAL Nursing Home - Federal Fund	\$ 10,238,750	5093

**Section 10.** All items set forth in this section are hereby 5095  
appropriated out of any moneys in the state treasury to the credit 5096  
of the Capital Donations Fund (Fund 5A1) that are not otherwise 5097  
appropriated. 5098

		Reappropriations	
	AFC ARTS AND SPORTS FACILITIES COMMISSION		5099
CAP-702	Capital Donations	\$ 976,130	5100
	Total Arts and Sports Facilities Commission	\$ 976,130	5101

CAPITAL DONATIONS FUND CERTIFICATIONS AND APPROPRIATIONS 5102

The Executive Director of the Arts and Sports Facilities 5103  
Commission shall certify to the Director of Budget and Management 5104  
the amount of cash receipts and related investment income, 5105

irrevocable letters of credit from a bank, or certification of the  
availability of funds that have been received from a county or a  
city for deposit to the Capital Donations Fund and are related to  
an anticipated project. These amounts are hereby appropriated to  
appropriation item CAP-702, Capital Donations. Prior to certifying  
these amounts to the Director, the Executive Director shall make a  
written agreement with the participating entity on the necessary  
cash flows required for the anticipated construction or equipment  
acquisition project.

**Section 11.** The items set forth in this section are hereby  
appropriated out of any moneys in the state treasury to the credit  
of the Veterans' Home Improvement Fund (Fund 604) that are not  
otherwise appropriated.

Reappropriations

OVH OHIO VETERANS' HOME

			5119
CAP-755	Secrest Security System Improvement	\$ 65,000	5120
CAP-760	Security System Improvement	\$ 110,000	5121
CAP-761	Griffin Nursing Home Improvements	\$ 278,775	5122
CAP-762	Renovate Secrest Floors and Walls in Bathroom and 1N	\$ 492,000	5123
CAP-764	O Cottage Roof and HVAC Improvements	\$ 84,000	5124
CAP-765	Install Warehouse Freezer	\$ 80,000	5125
	Total Ohio Veterans' Home	\$ 1,109,775	5126
	TOTAL Veterans' Home Improvement Fund	\$ 1,109,775	5127

**Section 12.** All items set forth in this section are hereby  
appropriated out of any moneys in the state treasury to the credit  
of the Education Facilities Trust Fund (Fund N87) that are not  
otherwise appropriated.

Reappropriations

SFC SCHOOL FACILITIES COMMISSION

			5133
CAP-780	Classroom Facilities Assistance Program	\$ 7,510,374	5134

CAP-784	Exceptional Needs Program	\$	26,205,339	5135
	Total School Facilities Commission	\$	33,715,713	5136
	TOTAL Education Facilities Trust Fund	\$	33,715,713	5137

**Section 13.** All items set forth in this section are hereby 5139  
appropriated out of any moneys in the state treasury to the credit 5140  
of the Clean Ohio Revitalization Fund (Fund 003) and derived from 5141  
the proceeds of obligations heretofore authorized to pay the costs 5142  
of the following categories of capital improvements: 5143

Reappropriations

DEV DEPARTMENT OF DEVELOPMENT

				5144
CAP-001	Clean Ohio Revitalization	\$	40,000,000	5145
CAP-002	Clean Ohio Assistance	\$	10,000,000	5146
	Total Department of Development	\$	50,000,000	5147
	TOTAL Clean Ohio Revitalization Fund	\$	50,000,000	5148

**Section 14.** All items set forth in this section are hereby 5150  
appropriated out of any moneys in the state treasury to the credit 5151  
of the Sports Facilities Building Fund (Fund 024) and derived from 5152  
the proceeds of obligations heretofore authorized to pay the costs 5153  
of the following capital improvements: 5154

Reappropriations

AFC ARTS AND SPORTS FACILITIES COMMISSION

				5155
CAP-024	Sports Facilities Improvements - Akron	\$	147,546	5156
	Total Arts and Sports Facilities Commission	\$	147,546	5157
	TOTAL Sports Facilities Building Fund	\$	147,546	5158

**Section 15.** All items set forth in this section are hereby 5160  
appropriated out of any moneys in the state treasury to the credit 5161  
of the Highway Safety Building Fund (Fund 025) and derived from 5162  
the proceeds and obligations heretofore authorized to pay the 5163  
costs of the following capital improvements: 5164

Reappropriations

	DHS DEPARTMENT OF PUBLIC SAFETY		5165
CAP-047	Public Safety Office Building	\$ 2,710,400	5166
CAP-048	Statewide Communications System	\$ 17,380,997	5167
CAP-068	Alum Creek Warehouse Renovations	\$ 1,600,000	5168
CAP-069	Centre School Renovations	\$ 20,219	5169
CAP-070	Canton One-Stop Shop	\$ 800,000	5170
CAP-076	Investigative Unit MARCS Equipment	\$ 897,691	5171
	Total Department of Public Safety	\$ 23,409,307	5172
	TOTAL Highway Safety Building Fund	\$ 23,409,307	5173

PUBLIC SAFETY OFFICE BUILDING 5174

The amount reappropriated for the foregoing appropriation 5175  
item CAP-047, Public Safety Office Building, shall be the 5176  
unencumbered and unallotted balance as of June 30, 2000, in 5177  
appropriation item CAP-047, Public Safety Office Building, minus 5178  
\$897,691. 5179

INVESTIGATIVE UNIT MARCS EQUIPMENT 5180

The amount reappropriated for the foregoing appropriation 5181  
item CAP-076, Investigative Unit MARCS Equipment, shall be 5182  
\$897,691. 5183

**Section 16.** All items set forth in Sections 16.01 to 16.15 5184  
are hereby appropriated out of any moneys in the state treasury to 5185  
the credit of the Administrative Building Fund (Fund 026) and 5186  
derived from the proceeds of obligations heretofore authorized to 5187  
pay the costs of capital facilities, as defined in section 152.09 5188  
of the Revised Code, for the following capital improvements: 5189

Reappropriations

**Section 16.01.** ADJ ADJUTANT GENERAL 5190

CAP-032	Upgrade Underground Storage Tanks	\$ 41,795	5191
CAP-034	Asbestos Abatement - Various Facilities	\$ 207,790	5192
CAP-036	Roof Replacement - Various Facilities	\$ 615,113	5193

CAP-038	Electrical System - Various Armories	\$	976,000	5194
CAP-039	Camp Perry Facility Improvements	\$	30,239	5195
CAP-043	Renovate/Expand Existing Eaton Facility	\$	800,498	5196
CAP-044	Replace Windows/Doors - Various Armories	\$	567,582	5197
CAP-045	Plumbing Renovations - Various Armories	\$	264,499	5198
CAP-046	Paving Renovations - Various Armories	\$	1,625,466	5199
CAP-050	HVAC Systems - Various Armories	\$	760,486	5200
CAP-052	Cincinnati Shadybrook Armory	\$	2,149,705	5201
CAP-054	Construct Camp Perry Administration Building	\$	6,540	5202
CAP-055	Hillsboro Armory Renovations	\$	478,974	5203
CAP-056	Masonry Renovations - Various Armories	\$	297,813	5204
CAP-057	Sewer Improvement - Rickenbacker	\$	180,000	5205
CAP-058	Construct Cincinnati Armory	\$	275,000	5206
CAP-059	Construct Bowling Green Armory	\$	200,000	5207
Total Adjutant General		\$	9,477,500	5208

NEW ARMORY CONSTRUCTION 5209

The foregoing appropriation item CAP-059, Construct Bowling Green Armory, shall be used to fund the state's share of the cost of building a basic armory in the Bowling Green area, including the cost of site acquisition, site preparation, and planning and design. Appropriations shall not be released for this item without a certification by the Adjutant General to the Director of Budget and Management that sufficient moneys have been allocated for the federal share of the cost of construction.

Reappropriations

**Section 16.02. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES** 5218

CAP-773	Governor's Residence Renovations	\$	51,151	5219
CAP-809	Hazardous Substance Abatement	\$	1,654,249	5220
CAP-811	Health/EPA Laboratory Facilities	\$	6,350,628	5221
CAP-822	Americans with Disabilities Act	\$	1,846,405	5222
CAP-826	Office Services Building Renovation	\$	2,764,677	5223

CAP-827	Statewide Communications System	\$	131,876,397	5224
CAP-830	Canton Office Building Planning	\$	5,000	5225
CAP-834	Capital Improvements Tracking System	\$	407,600	5226
CAP-835	Energy Conservation Projects	\$	3,011,138	5227
CAP-837	Major Computer Purchases	\$	3,142,555	5228
CAP-838	SOCC Renovations	\$	1,952,480	5229
CAP-843	New Veterans Home Planning	\$	100,000	5230
CAP-844	Hamilton State/Local Government Center - Planning	\$	57,500	5231
CAP-847	Coit Road Site Improvements	\$	1,199,453	5232
CAP-848	ODOT Building Boiler Replacement	\$	155,981	5233
CAP-849	Facility Planning and Development	\$	5,264,281	5234
CAP-850	Renovation of Old ODOT Building	\$	455,415	5235
CAP-852	North High Building Complex Renovations	\$	6,215,474	5236
CAP-855	Office Space Planning	\$	150,000	5237
CAP-860	Structured Cabling	\$	650,000	5238
Total Department of Administrative Services		\$	167,310,385	5239

HAZARDOUS SUBSTANCE ABATEMENT IN STATE FACILITIES 5240

The foregoing appropriation item CAP-809, Hazardous Substance 5241  
Abatement, shall be used to fund the removal of asbestos, PCB, 5242  
radon gas, and other contamination hazards from state facilities. 5243

Prior to the release of funds for asbestos abatement, the 5244  
Department of Administrative Services shall review proposals from 5245  
state agencies to use these funds for asbestos abatement projects 5246  
based on criteria developed by the Department of Administrative 5247  
Services. Upon a determination by the Department of Administrative 5248  
Services that the requesting agency cannot fund the asbestos 5249  
abatement project or other toxic materials removal through 5250  
existing capital and operating appropriations, the department may 5251  
request the release of funds for such projects by the Controlling 5252  
Board. State agencies intending to fund asbestos abatement or 5253  
other toxic materials removal through existing capital and 5254

operating appropriations shall notify the Director of 5255  
Administrative Services of the nature and scope prior to 5256  
commencing the project. 5257

Only agencies that have received appropriations for capital 5258  
projects from the Administrative Building Fund (Fund 026) are 5259  
eligible to receive funding from this item. Public school 5260  
districts are not eligible. 5261

OFFICE SERVICES BUILDING RENOVATION 5262

The amount reappropriated for the foregoing appropriation 5263  
item CAP-826, Office Services Building Renovation, is the sum of 5264  
the unencumbered and unallotted balances as of June 30, 2002, in 5265  
Fund 026 appropriation items CAP-812, Old School for the Blind 5266  
Renovation; CAP-814, Old School for the Blind Planning; CAP-824, 5267  
State Real Estate Inventory System; CAP-826, Office Services 5268  
Building Renovation; CAP-858, Lausche Building Improvements 5269  
Planning; and CAP-861, Facilities Master Plan State Schools for 5270  
the Blind and Deaf. 5271

IMPLEMENTATION OF AMERICANS WITH DISABILITIES ACT 5272

The foregoing appropriation item CAP-822, Americans with 5273  
Disabilities Act, shall be used to renovate state-owned facilities 5274  
to provide access for physically disabled persons in accordance 5275  
with Title II of the Americans with Disabilities Act. 5276

Prior to the release of funds for renovation, state agencies 5277  
shall perform self-evaluations of state-owned facilities 5278  
identifying barriers to access to service. State agencies shall 5279  
prioritize access barriers and develop a transition plan for the 5280  
removal of these barriers. The Department of Administrative 5281  
Services shall review proposals from state agencies to use these 5282  
funds for Americans with Disabilities Act renovations. 5283

Only agencies that have received appropriations for capital 5284  
projects from Administrative Building Fund (Fund 026) are eligible 5285

to receive funding from this item. Public school districts are not 5286  
eligible. 5287

MARCS STEERING COMMITTEE AND STATEWIDE COMMUNICATIONS SYSTEM 5288

There is hereby continued a Multi-Agency Radio Communications 5289  
System (MARCS) Steering Committee consisting of the designees of 5290  
the Directors of Administrative Services, Public Safety, Natural 5291  
Resources, Transportation, Rehabilitation and Correction, and 5292  
Budget and Management. The Director of Administrative Services or 5293  
the director's designee shall chair the committee. The committee 5294  
shall provide assistance to the Director of Administrative 5295  
Services for effective and efficient implementation of the MARCS 5296  
system as well as develop policies for the ongoing management of 5297  
the system. Upon dates prescribed by the Directors of 5298  
Administrative Services and Budget and Management, the MARCS 5299  
Steering Committee shall report to the directors on the progress 5300  
of MARCS implementation and the development of policies related to 5301  
the system. 5302

The foregoing appropriation item CAP-827, Statewide 5303  
Communications System, shall be used to purchase or construct the 5304  
components of MARCS that are not specific to any one agency. The 5305  
equipment may include, but is not limited to, multi-agency 5306  
equipment at the Emergency Operations Center/Joint Dispatch 5307  
Facility, computer and telecommunication equipment used for the 5308  
functioning and integration of the system, communications towers, 5309  
tower sites, tower equipment, and linkages among towers and 5310  
between towers and the State of Ohio Network for Integrated 5311  
Communication (SONIC) system. The Director of Administrative 5312  
Services shall, with the concurrence of the MARCS Steering 5313  
Committee, determine the specific use of funds. 5314

Spending from this appropriation item shall not be subject to 5315  
Chapters 123. and 153. of the Revised Code. 5316

ENERGY CONSERVATION PROJECTS 5317

The foregoing appropriation item CAP-835, Energy Conservation 5318  
 Projects, shall be used to perform energy conservation 5319  
 renovations, including the United States Environmental Protection 5320  
 Agency's Energy Star Program, in state-owned facilities. Prior to 5321  
 the release of funds for renovation, state agencies shall have 5322  
 performed a comprehensive energy audit for each project. The 5323  
 Department of Administrative Services shall review and approve 5324  
 proposals from state agencies to use these funds for energy 5325  
 conservation. Public school districts and state-supported and 5326  
 state-assisted institutions of higher education are not eligible 5327  
 for funding from this item. 5328

MAJOR COMPUTER PURCHASES 5329

The amount reappropriated for the foregoing appropriation 5330  
 item CAP-837, Major Computer Purchases, is \$2,660,065 plus the sum 5331  
 of the unencumbered and unallotted balances as of June 30, 2002, 5332  
 in Fund 026 appropriation item CAP-837, Major Computer Purchases. 5333

STRUCTURED CABLING 5334

The amount reappropriated for the foregoing appropriation 5335  
 item CAP-860, Structured Cabling, is the sum of the unencumbered 5336  
 and unallotted balances as of June 30, 2002, in Fund 026 5337  
 appropriation item CAP-860, Structured Cabling, less \$2,660,065. 5338

Reappropriations

**Section 16.03. AGE DEPARTMENT OF AGING 5339**

CAP-001	Renovate Martin Janis Center	\$	10,013	5340
	Total Department of Aging	\$	10,013	5341

Reappropriations

**Section 16.04. AGR DEPARTMENT OF AGRICULTURE 5343**

CAP-025	Building Renovations	\$	54,097	5344
---------	----------------------	----	--------	------

CAP-029	Administration Building Renovation	\$	579,436	5345
CAP-033	Site Electrical/Utility Improvement	\$	117,341	5346
CAP-037	Consumer Lab/Weights/Measures Equip.	\$	19,714	5347
CAP-042	Reynoldsburg Complex Security Improvements	\$	325,000	5348
CAP-043	Building and Grounds Renovation	\$	336,553	5349
CAP-044	Renovate Building 4	\$	2,857,954	5350
Total Department of Agriculture		\$	4,290,095	5351

Reappropriations

**Section 16.05. AGO ATTORNEY GENERAL** 5353

CAP-715	Expand/Renovate Richfield Lab	\$	94,427	5354
CAP-717	HVAC Improvements OPOTA	\$	1,777,096	5355
CAP-720	POTA Outdoor Training Facility	\$	2,300,000	5356
Total Attorney General		\$	4,171,523	5357

Reappropriations

**Section 16.06. CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD** 5359

CAP-010	Capitol Rotunda Renovations	\$	500,000	5360
CAP-011	Statehouse Security Improvements	\$	2,005,420	5361
Total Capitol Square Review and Advisory Board		\$	2,505,420	5362

**STATEHOUSE SECURITY IMPROVEMENTS** 5363

Of the foregoing appropriation item CAP-011, Statehouse 5364  
Security Improvements, \$1,050,000 shall be used in conjunction 5365  
with funds from appropriation item CAP-009, Garage Fire 5366  
Suppression, in the Underground Parking Garage Operating Fund 5367  
(Fund 208), for the installation of a new fire suppression system 5368  
in the Statehouse garage. Notwithstanding any section of the 5369  
Revised Code, any transfer or disbursement of moneys from 5370  
appropriation items CAP-009, Garage Fire Suppression, and CAP-011, 5371  
Statehouse Security Improvements, shall be subject to Controlling 5372  
Board approval. 5373

Reappropriations

<b>Section 16.07. COM DEPARTMENT OF COMMERCE</b>			5374
CAP-008	Fire Academy Building Renovations	\$ 580,195	5375
CAP-011	Roadway/Training Area Resurfacing	\$ 225,000	5376
CAP-012	Fire Academy Architectural Plan	75,000	5377
Total Department of Commerce		\$ 880,195	5378

Reappropriations

<b>Section 16.08. EXP EXPOSITIONS COMMISSION</b>			5380
CAP-037	Electric and Lighting Upgrade	\$ 2,651,408	5381
CAP-046	Land Acquisition	\$ 1,259,624	5382
CAP-051	Roof Renovations	\$ 2,602	5383
CAP-052	Sewer Separation	\$ 1,897,590	5384
CAP-053	Multipurpose Agricultural Center	\$ 2,671	5385
CAP-056	Building Renovations - 2	\$ 9,813	5386
CAP-057	HVAC Planning	\$ 2,001	5387
CAP-063	Facility Improvements and Modernization Plan	\$ 642,033	5388
CAP-064	Replacement of Water Lines	\$ 16,209	5389
CAP-066	Stairtower Replacement	\$ 1,427	5390
CAP-068	Masonry Renovations	\$ 1,124,126	5391
CAP-069	Restroom Renovations	\$ 166,223	5392
CAP-071	Campgrounds Renovations	\$ 770,118	5393
CAP-072	Emergency Renovations and Equipment Replacement	\$ 347,058	5394
Total Expositions Commission		\$ 8,892,902	5395

Reappropriations

<b>Section 16.09. JSC JUDICIARY/SUPREME COURT</b>			5397
CAP-001	Ohio Courts Building Renovations	\$ 63,968,080	5398
Total Judiciary/Supreme Court		\$ 63,968,080	5399
EXEMPT FROM PER CENT FOR ARTS PROGRAM			5400

The foregoing appropriation item CAP-001, Ohio Courts Building Renovations, is exempt from section 3379.10 of the Revised Code, the Per Cent for Arts Program.

Reappropriations

**Section 16.10. LIB STATE LIBRARY** 5404

CAP-702	SEO Regional Center Expansion	\$	73,324	5405
	Total State Library	\$	73,324	5406

Reappropriations

**Section 16.11. DNR DEPARTMENT OF NATURAL RESOURCES** 5408

CAP-741	DNR Communications System	\$	51,612	5409
CAP-742	Fountain Square Building and Telephone System Improvements	\$	3,493,476	5410
CAP-744	Multi-Agency Radio Communications Equipment	\$	7,000,000	5411
CAP-747	DNR Fairgrounds Area - General Upgrading	\$	17,000	5412
CAP-867	Reclamation Facility Renovation and Development	\$	225,000	5413
CAP-928	Handicapped Accessibility	\$	39,654	5414
CAP-934	District Office Renovations and Development	\$	1,000,000	5415
	Total Department of Natural Resources	\$	11,826,742	5416

Reappropriations

**Section 16.12. DHS DEPARTMENT OF PUBLIC SAFETY** 5418

CAP-053	Construct EMA/EOC and Office Building	\$	6,605	5419
CAP-054	Multi-Agency Radio Communications System	\$	1,017,366	5420
CAP-056	Emergency Operations Center Equipment	\$	1,502	5421
CAP-067	VHS Radio System Improvements	\$	518,227	5422
	Total Department of Public Safety	\$	1,543,700	5423

**CONSTRUCT EMA/EOC AND OFFICE BUILDING** 5424

The amount reappropriated for the foregoing appropriation 5425  
 item CAP-053, Construct EMA/EOC and Office Building, is \$6,605. 5426

Reappropriations

<b>Section 16.13. OSB SCHOOL FOR THE BLIND</b>			5427
CAP-745	Roof Improvements on the School and Cottage	\$ 910,488	5428
CAP-751	Upgrade Fire Alarm System	\$ 461,250	5429
CAP-752	Equipment Storage Building	\$ 3,279	5430
CAP-757	Bathroom Handicapped Accessibility	\$ 264,787	5431
CAP-763	Natatorium Flooring Improvements	\$ 47,474	5432
CAP-764	Electric System Improvements	\$ 144,900	5433
CAP-765	Upgrade Campus Safety and Security	\$ 180,054	5434
CAP-780	Residential Renovations	\$ 7,737	5435
CAP-783	Natatorium Improvements	\$ 31,300	5436
Total Ohio School for the Blind			5437

Reappropriations

<b>Section 16.14. OSD SCHOOL FOR THE DEAF</b>			5439
CAP-760	Handicapped Accessibility Projects	\$ 2,241	5440
CAP-767	Roof Renovations	\$ 250,848	5441
CAP-785	Site Improvements	\$ 150	5442
Total Ohio School for the Deaf			5443

ROOF RENOVATIONS 5444

The amount reappropriated for the foregoing appropriation 5445  
 item CAP-767, Roof Renovations, is the sum of the unencumbered and 5446  
 unallotted balances as of June 30, 2002, in appropriation items 5447  
 CAP-766, Construct Security Building at Entrance; CAP-767, Roof 5448  
 Renovations; and CAP-768, Dorm Furniture Replacement. 5449

Reappropriations

**Section 16.15. OVH OHIO VETERANS' HOME** 5450

CAP-759	Veterans' Home Construction	\$	3,385,868	5451
	Total Ohio Veterans' Home	\$	3,385,868	5452
	TOTAL Administrative Building Fund	\$	280,640,255	5453

**Section 17.** All items set forth in this section are hereby 5455  
appropriated out of any moneys in the state treasury to the credit 5456  
of the Adult Correctional Building Fund (Fund 027) and derived 5457  
from the proceeds of obligations heretofore authorized to pay 5458  
costs of capital facilities, as defined in section 152.09 of the 5459  
Revised Code, for the Department of Rehabilitation and Correction. 5460

Reappropriations

	DRC DEPARTMENT OF REHABILITATION AND CORRECTION			5461
	STATEWIDE AND CENTRAL OFFICE PROJECTS			5462
CAP-002	Local Jails	\$	28,137,041	5463
CAP-003	Community-Based Correctional Facilities	\$	20,024,289	5464
CAP-004	Site Renovations	\$	1,784,982	5465
CAP-007	Asbestos Removal	\$	1,014,957	5466
CAP-008	Powerhouse/Utility Improvements	\$	3,496,344	5467
CAP-009	Water System/Plant Improvements	\$	3,568,748	5468
CAP-010	Industrial Equipment - Statewide	\$	2,104,647	5469
CAP-011	Roof/Window Renovations - Statewide	\$	1,288,798	5470
CAP-012	Shower/Restroom Improvements	\$	1,528,125	5471
CAP-015	Underground Storage Tanks Improvements	\$	600	5472
CAP-017	Security Improvements - Statewide	\$	3,315,977	5473
CAP-018	Emergency and Security Lighting	\$	62,927	5474
CAP-026	Waste Water Treatment Facilities	\$	862,787	5475
CAP-028	Power House Improvements	\$	383,596	5476
CAP-041	Community Residential Program	\$	5,909,563	5477
CAP-043	Design/Construct/Parole Detention Centers	\$	294,055	5478
CAP-109	Statewide Fire Alarm Systems	\$	387,662	5479
CAP-110	Construct Maximum Security Facility	\$	779	5480
CAP-111	General Building Renovations	\$	1,900,000	5481
CAP-129	Water Treatment Plants - Statewide	\$	688,020	5482

CAP-140	Boot Camp/Substance Abuse Offenders	\$	82,314	5483
CAP-141	Multi-Agency Radio System Equipment	\$	1,237,490	5484
CAP-142	Various Facility Medical Services	\$	838,593	5485
CAP-143	Perimeter Security, Lighting, Alarms, and Sallyports	\$	2,218,931	5486
CAP-144	Medium/Minimum Security Privatized Prison	\$	150,301	5487
CAP-161	1,000-Bed Close Custody Prison	\$	1,039,144	5488
CAP-186	Close Custody Prison and Camp	\$	5,000,000	5489
CAP-187	Mandown Alert Communication System - Statewide	\$	2,043,361	5490
CAP-188	Manufacturing/Storage Building Additions - Statewide	\$	159,300	5491
CAP-189	Tuck-pointing - Statewide	\$	253,345	5492
CAP-238	Electrical Systems Upgrades	\$	961,700	5493
CAP-239	Emergency Projects	\$	2,634,750	5494
CAP-240	State Match for Federal Prison Construction Funds	\$	2,410,000	5495
CAP-252	Construction Meat Processing Plant	\$	7,193,150	5496
Total Statewide and Central Office Projects				\$ 102,976,276 5497
BELMONT CORRECTIONAL INSTITUTION				5498
CAP-094	Belmont Correctional Institution	\$	11,850	5499
CAP-241	Inmate Health Services Renovations - BECI	\$	2,195,060	5500
Total Belmont Correctional Institution				\$ 2,206,910 5501
CHILLICOTHE CORRECTIONAL INSTITUTION				5502
CAP-113	Fire Alarm, Egress System Improvements	\$	57,127	5503
CAP-115	Roof Renovations	\$	296,312	5504
CAP-145	Plumbing Renovations	\$	216	5505
CAP-146	Renovate Food Service Area - CCI	\$	586,421	5506
CAP-147	Wastewater Treatment Plant	\$	487,208	5507
CAP-149	New Classroom Building	\$	888,199	5508
CAP-177	Convert Warehouse to Dormitory	\$	596	5509
CAP-190	Utility Improvements	\$	200,000	5510
CAP-191	Life & Fire Safety Improvements - CCI	\$	145,715	5511

CAP-253	Install Electro-Static Precipitator	\$	237,165	5512
CAP-254	Boiler House Renovations	\$	2,297,819	5513
CAP-255	Replace Windows and Doors	\$	591,125	5514
CAP-256	Construct New Freezers	\$	372,338	5515
CAP-257	Emergency Generator Improvements	\$	3,011,700	5516
Total Chillicothe Correctional Institution		\$	9,171,941	5517
CORRECTIONAL RECEPTION CENTER				5518
CAP-173	CRC E-Dorm Renovation	\$	3,000	5519
Total Correctional Reception Center		\$	3,000	5520
CORRECTIONS TRAINING ACADEMY				5521
CAP-148	Roof Replacement	\$	21,110	5522
CAP-193	AT Building Roof Replacement	\$	131,388	5523
CAP-194	Construct Conference Center	\$	10,849	5524
CAP-292	Tunnel Renovation/Orient Complex	\$	200,000	5525
Total Corrections Training Academy		\$	363,347	5526
DAYTON CORRECTIONAL INSTITUTION				5527
CAP-195	Hot Water System Improvements - DCI	\$	400,000	5528
CAP-242	Shower Renovations - DCI	\$	218,029	5529
Total Dayton Correctional Institution		\$	618,029	5530
GRAFTON CORRECTIONAL INSTITUTION				5531
CAP-196	Camp Egress System Improvements - GCI	\$	400,292	5532
Total Grafton Correctional Institution		\$	400,292	5533
HOCKING CORRECTIONAL INSTITUTION				5534
CAP-053	General Building Renovations	\$	522	5535
CAP-054	Water Tower Improvements	\$	4,683	5536
CAP-258	Sewer Upgrades	\$	454,552	5537
CAP-259	Freezer Building Replacement	\$	152,812	5538
Total Hocking Correctional Institution		\$	612,569	5539
LEBANON CORRECTIONAL INSTITUTION				5540
CAP-057	Shower Pan/Drain Renovations	\$	42,121	5541
CAP-118	Water Tower Renovations	\$	123,307	5542
CAP-119	Masonry Improvements - LECI	\$	465,933	5543
CAP-197	Cell Door Lock Replacement - LECI	\$	2,384,520	5544

CAP-198	Water Treatment Plant - LECI	\$	1,269,008	5545
CAP-285	Bar Screen Replacement	\$	143,000	5546
CAP-300	Water Softener Replacement	\$	569,260	5547
Total Lebanon Correctional Institution		\$	4,997,149	5548
LIMA CORRECTIONAL INSTITUTION				5549
CAP-058	Water System Renovations	\$	5,476	5550
CAP-120	Kitchen Renovations	\$	120	5551
CAP-121	Shower and Lavatory Renovations	\$	63,328	5552
CAP-153	Convert ODOT Building to Minimum Security Camp	\$	535,608	5553
CAP-155	Heating System Renovations	\$	953,229	5554
CAP-156	Water and Sewer Lines Renovations	\$	1,000,000	5555
CAP-199	Windows/Security Bar Improvements	\$	301,000	5556
CAP-200	Utility Renovations	\$	156,000	5557
CAP-243	HVAC Renovations - LCI	\$	4,317,100	5558
CAP-244	Heating System Piping Replacement - LCI	\$	2,465,000	5559
CAP-260	ADA Renovations	\$	1,169,237	5560
Total Lima Correctional Institution		\$	10,966,098	5561
LONDON CORRECTIONAL INSTITUTION				5562
CAP-059	Convert Brush Factory to Dormitory	\$	16,774	5563
CAP-122	Master Plan Building/Renovations	\$	205,194	5564
CAP-201	Water Treatment Plant Addition	\$	434,985	5565
CAP-245	Bridge Replacement - LOCI	\$	116,150	5566
CAP-261	Roof Replacement	\$	189,487	5567
CAP-283	Gas Boiler Installation - LOCI	\$	1,276,520	5568
Total London Correctional Institution		\$	2,239,110	5569
MADISON CORRECTIONAL INSTITUTION				5570
CAP-176	Madison Classroom Renovation	\$	29,408	5571
CAP-263	Upgrade Emergency Electrical Service	\$	890,815	5572
CAP-264	Sewage Station Upgrade	\$	197,226	5573
CAP-286	Juvenile Unit Remodeling - Madison	\$	36,454	5574
CAP-288	Water Softener System - Madison	\$	1,500	5575
Total Madison Correctional Institution		\$	1,155,403	5576

	MANSFIELD CORRECTIONAL INSTITUTION		5577
CAP-123	Smoke Removal/Sprinkler System Improvements	\$ 7,618	5578
CAP-159	Power Pole Replacement	\$ 16,800	5579
CAP-203	Hot Water System Improvements - MANCI	\$ 750,000	5580
	Total Mansfield Correctional Institution	\$ 774,418	5581
	MARION CORRECTIONAL INSTITUTION		5582
CAP-067	Roof Replacement	\$ 3,000	5583
CAP-124	Fire Sprinkler System Improvements	\$ 1,723	5584
CAP-172	Marion Camp Shower Renovation	\$ 2,756	5585
CAP-205	Cooler Replacement	\$ 225,221	5586
CAP-208	Hot Water Tank Replacement	\$ 909,309	5587
CAP-246	Exterior Window Replacement - MCI	\$ 604,395	5588
CAP-247	Plumbing Upgrades - MCI	\$ 1,360,525	5589
CAP-294	Asphalt Paving - MCI	\$ 117,380	5590
CAP-295	Sanitary Manhole Sewer - MCI	\$ 116,172	5591
	Total Marion Correctional Institution	\$ 3,340,481	5592
	NORTHEAST PRE-RELEASE CENTER		5593
CAP-209	Security Improvements - NEPRC	\$ 809,200	5594
	Total Northeast Pre-Release Center	\$ 809,200	5595
	OAKWOOD CORRECTIONAL FACILITY		5596
CAP-154	Install New Locking Systems	\$ 1,826	5597
CAP-163	Install Positive Latching Devices	\$ 1,674	5598
CAP-164	Renovate East Wing Electrical System	\$ 1,500	5599
	Total Oakwood Correctional Facility	\$ 5,000	5600
	OHIO REFORMATORY FOR WOMEN		5601
CAP-125	Replacement Dormitory	\$ 11,669	5602
CAP-165	Master Plan Building/Renovations - ORW	\$ 231,780	5603
CAP-210	Replacement Dormitory - ORW	\$ 650,000	5604
CAP-211	Renovate J.G. Cottage	\$ 1,062,085	5605
CAP-212	Powerhouse Renovation & Replumbing	\$ 1,250,000	5606
CAP-216	Elevator Renovation	\$ 121,500	5607
CAP-217	Perimeter Lighting Improvements	\$ 100,979	5608

CAP-218	Rewire Harmon Building	\$	376,289	5609
CAP-219	Fire Alarm System Improvements	\$	740,221	5610
CAP-266	Construct New Medical and Food Services Building	\$	9,000,000	5611
CAP-267	Renovate ARN Dorms	\$	570,500	5612
CAP-268	Emergency Generator Improvements	\$	1,692,254	5613
CAP-269	Utility Tunnels Improvements		407,500	5614
CAP-289	Perimeter - Security	\$	1,639,578	5615
CAP-296	Domestic Waterline Renovation	\$	594,000	5616
CAP-301	500 Car Parking/Road Design	\$	1,500	5617
Total Ohio Reformatory for Women		\$	18,449,855	5618
PICKAWAY CORRECTIONAL INSTITUTION				5619
CAP-074	Fire Alarm System Improvements	\$	11,909	5620
CAP-166	Renovate Milk Processing Facility	\$	3,031	5621
CAP-222	Sludge Removal System Improvements	\$	1,375,296	5622
CAP-224	Replacement Generator - Dairy Farm	\$	3,678	5623
CAP-225	Water System Improvements	\$	493,970	5624
CAP-226	Milk Processing Plant	\$	212,462	5625
CAP-227	Roof Improvements	\$	373,575	5626
CAP-228	Power House Improvements	\$	212,889	5627
CAP-248	Replacement of Perimeter Fence - PCI	\$	2,218,500	5628
CAP-274	Replacement of Segregation Housing	\$	4,806,750	5629
CAP-275	Replace and Upgrade Fence Alarm System	\$	1,848,750	5630
CAP-297	Steam Waterline Replacement	\$	1,363,430	5631
Total Pickaway Correctional Institution		\$	12,924,240	5632
RICHLAND CORRECTIONAL INSTITUTION				5633
CAP-251	Construct Retaining Wall - RIC I	\$	379,451	5634
CAP-293	Asphalt Parking - RIC I	\$	128,559	5635
Total Richland Correctional Institution		\$	508,010	5636
ROSS CORRECTIONAL INSTITUTION				5637
CAP-229	Waste Water Treatment Plant - RCI	\$	6,644,677	5638
CAP-276	Rubberized Roof Replacement	\$	142,864	5639
Total Ross Correctional Institution		\$	6,787,541	5640

	SOUTHEASTERN CORRECTIONAL INSTITUTION		5641
CAP-134	Wastewater Treatment Storage Addition	\$ 528,875	5642
CAP-167	Master Plan Building/Renovations - SCI	\$ 234,221	5643
CAP-233	Replacement 2 Story Dorm/J, K, L Dorm	\$ 1,357,622	5644
CAP-234	High Voltage Electrical System	\$ 4,489,713	5645
CAP-235	Construct Warehouse & Utility Buildings	\$ 2,970,381	5646
CAP-236	Construct Dining Hall - SCI	\$ 2,097,174	5647
CAP-237	Power Plant Improvements	\$ 429,398	5648
CAP-249	I Dorm Air Handling - SCI	\$ 580,700	5649
CAP-250	Wastewater Treatment Plant Improvements - SCI	\$ 863,600	5650
CAP-277	Powerhouse Boiler Improvements	\$ 1,520,875	5651
	Total Southeastern Correctional Institution	\$ 15,072,559	5652
	SOUTHERN OHIO CORRECTIONAL FACILITY		5653
CAP-135	SOCF Renovation and Improvements	\$ 138,844	5654
CAP-136	Waste Water Treatment Plant Improvements	\$ 661	5655
CAP-230	Waste Water Treatment Plant	\$ 881,881	5656
CAP-231	Gas Boiler Installation	\$ 1,287,686	5657
CAP-279	Powerhouse Domestic Hot Water Replacement	\$ 198,534	5658
CAP-287	Roof Renovations B Wing - SOCF	\$ 85,416	5659
	Total Southern Ohio Correctional Facility	\$ 2,593,022	5660
	TRUMBULL CORRECTIONAL INSTITUTION		5661
CAP-280	Door Control Switch Renovation	\$ 16,050	5662
CAP-281	Construct Psychiatric Residential Treatment Unit	\$ 603,120	5663
	Total Trumbull Correctional Institution	\$ 619,170	5664
	WARREN CORRECTIONAL INSTITUTION		5665
CAP-284	Compound Lighting Upgrade	\$ 447,991	5666
CAP-290	Security Upgrades	\$ 775,056	5667
	Total Warren Correctional Institution	\$ 1,223,047	5668
	TOTAL Department of Rehabilitation and Correction	\$ 198,816,667	5669
	TOTAL Adult Correctional Building Fund	\$ 198,816,667	5670

Section 17.01. LOCAL JAILS 5672

From the foregoing appropriation item, CAP-002, Local Jails, 5673  
the Department of Rehabilitation and Correction shall designate 5674  
the projects involving the construction and renovation of county, 5675  
multicounty, municipal-county, and multicounty-municipal jail 5676  
facilities and workhouses, including correctional centers 5677  
authorized under sections 153.61 and 307.93 of the Revised Code, 5678  
for which the Ohio Building Authority is authorized to issue 5679  
obligations. Notwithstanding any provisions to the contrary in 5680  
Chapter 152. or 153. of the Revised Code, the Department of 5681  
Rehabilitation and Correction may coordinate, review, and monitor 5682  
the drawdown and use of funds for the renovation or construction 5683  
of projects for which designated funds are provided. 5684

The funding authorized under this section shall not be 5685  
applied to any such facilities that are not designated by the 5686  
Department of Rehabilitation and Correction. The amount of funding 5687  
authorized under this section that may be applied to a project 5688  
designated for initial funding after July 1, 2000, involving the 5689  
construction or renovation of a county, multicounty, 5690  
municipal-county, and multicounty-municipal jail facilities and 5691  
workhouses, including correctional centers authorized under 5692  
sections 153.61 and 307.93 of the Revised Code, shall not exceed 5693  
\$35,000 per bed of the total allowable cost of the project in the 5694  
case of construction of county and municipal-county jail 5695  
facilities, workhouses, and correctional centers, or multicounty 5696  
or multicounty-municipal jail facilities, workhouses, and 5697  
correctional centers and shall not exceed 30 per cent of the total 5698  
allowable cost of the project in the case of renovation of county, 5699  
multicounty, municipal-county, and multicounty-municipal jail 5700  
facilities, workhouses, and correctional centers. If a political 5701  
subdivision is in the planning phase of constructing a multicounty 5702  
or multicounty-municipal jail facility, workhouse, or correctional 5703

center on or before the effective date of this section, the  
Department of Rehabilitation and Correction shall fund that  
facility at \$42,000 per bed. Multicounty or multicounty-municipal  
jail facility construction projects initiated after the effective  
date of this section may be considered for, but are not entitled  
to be awarded, funding at \$42,000 per bed. The higher per bed  
award is at the discretion of the Department of Rehabilitation and  
Correction and is contingent upon available funds, the impact of  
the project, and inclusion of at least three counties in the  
project.

5704  
5705  
5706  
5707  
5708  
5709  
5710  
5711  
5712  
5713  
5714

The cost-per-bed funding authorized under this section that  
may be applied to a construction project shall not exceed the  
actual cost-per-bed of the project. The 30 per cent funding  
authorized under this section that may be applied to a renovation  
project shall not exceed \$35,000 per bed of the total allowable  
cost of the project.

5715  
5716  
5717  
5718  
5719  
5720

The funding authorized under this section shall not be  
applied to any project involving the construction of a county,  
multicounty, municipal-county, or multicounty-municipal jail  
facility or workhouse, including a correctional center established  
under sections 153.61 and 307.93 of the Revised Code, unless the  
facility, workhouse, or correctional center will be built in  
compliance with "The Minimum Standards for Jails in Ohio" and the  
plans have been approved under section 5120.10 of the Revised  
Code. In addition, the funding authorized under this section shall  
not be applied to any project involving the renovation of a  
county, multicounty, municipal-county, or multicounty-municipal  
jail facility or workhouse, including a correctional center  
established under sections 153.61 and 307.93 of the Revised Code,  
unless the renovation is for the purpose of bringing the facility,  
workhouse, or correctional center into compliance with "The

5721  
5722  
5723  
5724  
5725  
5726  
5727  
5728  
5729  
5730  
5731  
5732  
5733  
5734  
5735

Minimum Standards for Jails in Ohio" and the plans have been 5736  
approved under section 5120.10 of the Revised Code. 5737

**Section 17.02. COMMUNITY-BASED CORRECTIONAL FACILITIES** 5738

The Department of Rehabilitation and Correction may designate 5739  
to the Ohio Building Authority the sites of, and, notwithstanding 5740  
any provisions to the contrary in Chapter 152. or 153. of the 5741  
Revised Code, may review the renovation or construction of the 5742  
single county and district community-based correctional facilities 5743  
funded by the foregoing appropriation item CAP-003, 5744  
Community-Based Correctional Facilities. 5745

**POWERHOUSE/UTILITY IMPROVEMENTS** 5746

The amount reappropriated for the foregoing appropriation 5747  
item CAP-008, Powerhouse/Utility Improvements, is the unencumbered 5748  
and unallotted balance as of June 30, 2002, in appropriation item 5749  
CAP-008, Powerhouse/Utility Improvements, plus \$544,622. 5750

**Section 17.03. COMMUNITY RESIDENTIAL PROGRAM RENOVATIONS** 5751

The foregoing appropriation item CAP-041, Community 5752  
Residential Program, may be used by the Department of 5753  
Rehabilitation and Correction, under sections 5120.103, 5120.104, 5754  
and 5120.105 of the Revised Code, to provide for the construction 5755  
or renovation of halfway house facilities for offenders eligible 5756  
for community supervision by the Department of Rehabilitation and 5757  
Correction. 5758

**GENERAL BUILDING RENOVATIONS** 5759

The amount reappropriated for the foregoing appropriation 5760  
item CAP-111, General Building Renovations, is the unencumbered 5761  
and unallotted balance as of June 30, 2002, in appropriation item 5762  
CAP-111, General Building Renovations, plus \$1,666,065. 5763

Section 18. All items set forth in this section are hereby 5764  
appropriated out of any moneys in the state treasury to the credit 5765  
of the Juvenile Correctional Building Fund (Fund 028) and derived 5766  
from the proceeds of obligations heretofore authorized to pay 5767  
costs of capital facilities, as defined in section 152.09 of the 5768  
Revised Code, for the Department of Youth Services. 5769

Reappropriations

DYS DEPARTMENT OF YOUTH SERVICES

			5770
CAP-801	Fire Suppression/Safety/Security	\$ 1,325,219	5771
CAP-803	General Institutional Renovations	\$ 757,608	5772
CAP-812	Community Rehabilitation Centers	\$ 4,880,992	5773
CAP-821	Construct Maximum Security Facility	\$ 117,491	5774
CAP-823	Cuyahoga Boys School Renovation/Expansion	\$ 400	5775
CAP-827	Facility Space Study/Plan	\$ 80,000	5776
CAP-828	Multi-Agency Radio System Equipment	\$ 753,186	5777
CAP-829	Local Juvenile Detention Centers	\$ 21,632,623	5778
CAP-830	Muskingum County Juvenile Justice Center	\$ 600,000	5779
CAP-831	Gym Expansion - Cuyahoga Hills Boys School	\$ 1,234,000	5780
CAP-832	72-Bed Unit Housing Addition - Ohio River Valley Correctional Center	\$ 10,248,923	5781
CAP-833	Security Renovations - Indian River	\$ 7,997,953	5782
CAP-834	Health & Safety Unit - Riverview	\$ 3,472,351	5783
	Total Department of Youth Services	\$ 53,100,746	5784
	TOTAL Juvenile Correctional Building Fund	\$ 53,100,746	5785

Section 18.01. COMMUNITY REHABILITATION CENTERS

From the foregoing appropriation item CAP-812, Community 5787  
Rehabilitation Centers, the Department of Youth Services shall 5788  
designate the projects involving the construction and renovation 5789  
of single county and multicounty community corrections facilities 5790  
for which the Ohio Building Authority is authorized to issue 5791  
5792

obligations. 5793

The Department of Youth Services is authorized to review and 5794  
approve the renovation and construction of projects for which 5795  
funds are provided. The proceeds of any obligations authorized 5796  
under this section shall not be applied to any such facilities 5797  
that are not designated and approved by the Department of Youth 5798  
Services. 5799

The Department of Youth Services shall adopt guidelines to 5800  
accept and review applications and designate projects. The 5801  
guidelines shall require the county or counties to justify the 5802  
need for the facility and to comply with timelines for the 5803  
submission of documentation pertaining to the site, program, and 5804  
construction. 5805

For purposes of this section, "community corrections 5806  
facilities" has the same meaning as in section 5139.36 of the 5807  
Revised Code. 5808

**Section 18.02. LOCAL JUVENILE DETENTION CENTERS** 5809

From the foregoing appropriation item CAP-829, Local Juvenile 5810  
Detention Centers, the Department of Youth Services shall 5811  
designate the projects involving the construction and renovation 5812  
of county and multicounty juvenile detention centers for which the 5813  
Ohio Building Authority is authorized to issue obligations. 5814

The Department of Youth Services is authorized to review and 5815  
approve the renovation and construction of projects for which 5816  
funds are provided. The proceeds of any obligations authorized 5817  
under this section shall not be applied to any such facilities 5818  
that are not designated by the Department of Youth Services. 5819

The Department of Youth Services shall comply with the 5820  
guidelines set forth in this section, accept and review 5821  
applications, designate projects, and determine the amount of 5822

state match funding to be applied to each project. The department shall, with the advice of the county or counties participating in a project, determine the funded design capacity of the detention centers that are designated to receive funding. Notwithstanding any provisions to the contrary contained in Chapter 152. or 153. of the Revised Code, the Department of Youth Services may coordinate, review, and monitor the drawdown and use of funds for the renovation and construction of projects for which designated funds are provided.

(A) The Department of Youth Services shall develop a weighted numerical formula to determine the amount, if any, of state match that may be provided to a single or multicounty detention center project. The formula shall include the factors specified below in division (A)(1) of this section and may include the factors specified below in division (A)(2) of this section. The weight assigned to the factors specified in division (A)(1) of this section shall be not less than twice the weight assigned to factors specified in division (A)(2) of this section.

(1)(a) The number of detention center beds needed in the county or group of counties, as estimated by the Department of Youth Services, is significantly more than the number of beds currently available;

(b) Any existing detention center in the county or group of counties does not meet health, safety, or security standards for detention centers as established by the Department of Youth Services;

(c) The Department of Youth Services projects that the county or group of counties have a need for a sufficient number of detention beds to make the project economically viable.

(2)(a) The percentage of children in the county or group of counties living below the poverty level is above the state

average; 5854

(b) The per capita income in the county or group of counties 5855  
is below the state average. 5856

(B) The formula developed by the Department of Youth Services 5857  
shall yield a percentage of state match ranging from 0 to 60 per 5858  
cent based on the above factors. Notwithstanding the foregoing 5859  
provisions, if a single county or multicounty system currently has 5860  
no detention center beds, or if the projected need for detention 5861  
center beds as estimated by the Department of Youth Services is 5862  
greater than 120 per cent of current detention center bed 5863  
capacity, then the percentage of state match shall be 60 per cent. 5864  
To determine the dollar amount of the state match for new 5865  
construction projects, the percentage of state match is multiplied 5866  
by \$105,000 per bed for detention centers with a designated 5867  
capacity of 99 beds or less, and by \$130,000 per bed for detention 5868  
centers with a design capacity of 100 beds or more. To determine 5869  
the dollar amount of the state match for renovation projects the 5870  
percentage match shall be multiplied by the actual cost of the 5871  
renovation, provided that the cost of the renovation does not 5872  
exceed \$80,000 per bed. The funding authorized under this section 5873  
that may be applied to a construction or renovation project shall 5874  
not exceed the actual cost of the project. 5875

The funding authorized under this section shall not be 5876  
applied to any project unless the detention center will be built 5877  
in compliance with health, safety, and security standards for 5878  
detention centers as established by the Department of Youth 5879  
Services. In addition, the funding authorized under this section 5880  
shall not be applied to the renovation of a detention center 5881  
unless the renovation is for the purpose of increasing the number 5882  
of beds in the center, or to meet health, safety, or security 5883  
standards for detention centers as established by the Department 5884  
of Youth Services. 5885

**Section 19.** All items set forth in this section are hereby 5886  
 appropriated out of any moneys in the state treasury to the credit 5887  
 of the Transportation Building Fund (Fund 029) and derived from 5888  
 the proceeds of obligations heretofore authorized to pay costs of 5889  
 the following capital improvements: 5890

Reappropriations

DOT DEPARTMENT OF TRANSPORTATION 5891

CAP-001	Transportation Buildings Capital	\$	250,000	5892
	Improvements			
	Total Department of Transportation	\$	250,000	5893
	TOTAL Transportation Building Fund	\$	250,000	5894

**Section 20.** All items set forth in this section are hereby 5896  
 appropriated out of any moneys in the state treasury to the credit 5897  
 of the Arts Facilities Building Fund (Fund 030) and derived from 5898  
 the proceeds of obligations heretofore authorized to pay costs of 5899  
 the following capital improvements: 5900

Reappropriations

AFC ARTS AND SPORTS FACILITIES COMMISSION 5901

CAP-003	Center of Science and Industry - Toledo	\$	6,635	5902
CAP-004	Valentine Theatre	\$	68,798	5903
CAP-005	Center of Science and Industry - Columbus	\$	191,536	5904
CAP-006	Appalachian Region - Arts Facilities	\$	13,494	5905
CAP-010	Sandusky State Theatre Improvements	\$	2,633	5906
CAP-013	Stambaugh Hall Improvements	\$	303,742	5907
CAP-016	Paul Laurence Dunbar State Memorial	\$	64,586	5908
	Renovations			
CAP-017	Zion Center of the National Afro-American	\$	702,479	5909
	Museum			
CAP-018	Adena State Memorial Renovations and	\$	749	5910
	Exhibit Planning			
CAP-020	Piqua Historical Area Buildings,	\$	747	5911

	Exhibits, and Site Renovations			
CAP-021	Ohio Historical Center - Archives and Library Shelving	\$	92,377	5912
CAP-023	National Afro-American Museum - Demolition of Shorter Hall	\$	18,757	5913
CAP-028	Ohio Ceramic Center	\$	7,417	5914
CAP-033	Woodward Opera House Renovation	\$	800,000	5915
CAP-044	National Underground Railroad Freedom Center	\$	4,333,332	5916
CAP-045	Cincinnati Contemporary Arts Center	\$	5,500,000	5917
CAP-051	Akron Civic Theatre Improvements	\$	1,000,000	5918
CAP-052	Akron Art Museum	\$	3,500,000	5919
CAP-055	Waco Museum & Aviation Learning Center	\$	500,000	5920
CAP-056	Ohio Agricultural and Industrial Heritage Center	\$	2,291,787	5921
CAP-058	Cedar Bog Nature Preserve Education Center	\$	736,200	5922
CAP-061	Statewide Arts Facilities Planning	\$	35,931	5923
CAP-063	Robins Theatre Renovations	\$	1,000,000	5924
CAP-702	Campus Martius Museum	\$	7,605	5925
CAP-708	Museum of Ceramics Renovations	\$	6,708	5926
CAP-734	Hayes Presidential Center	\$	750,000	5927
CAP-735	Paul Lawrence Dunbar House	\$	565,100	5928
CAP-744	Zoar Village Visitor Center	\$	11,242	5929
CAP-747	Ft Recovery Museum, Fort, and Monument Improvements	\$	3,089	5930
CAP-748	Ft Jefferson Building and Site Improvements	\$	288	5931
CAP-753	Buffington Island State Memorial	\$	100,000	5932
CAP-757	Schoenbrunn Village Restoration and Renovation	\$	98,000	5933
CAP-760	Goodwin-Baggott Pottery Building	\$	28,519	5934
CAP-770	Serpent Mound State Memorial	\$	295,000	5935

CAP-774	Acquisition of Warehouses	\$	84,455	5936
CAP-776	Flint Ridge Building, Site, Exhibit Improvements	\$	142,779	5937
CAP-777	Ft Amanda Building and Site Improvements	\$	1,335	5938
CAP-778	Ft Ancient Museum, Site, Exhibit Improvements	\$	10,686	5939
CAP-780	Harding Home State Memorial	\$	421,188	5940
CAP-784	Ohio Historical Center Rehabilitation	\$	203,182	5941
CAP-785	Ohio Village Building Renovations and Improvements	\$	300,000	5942
CAP-786	Piqua/Ft Picakawillany Acquisition and Improvements	\$	136,000	5943
CAP-789	Neil Armstrong Air and Space Museum Improvements	\$	109,816	5944
CAP-792	Harriet Beecher Stowe Museum Improvements	\$	13,980	5945
CAP-796	Moundbuilders State Memorial	\$	530,000	5946
CAP-797	National Afro-American Museum	\$	84,200	5947
CAP-798	Multi-site Fire/Security System	\$	180,200	5948
CAP-803	Digitization of OHS Collection	\$	318,000	5949
CAP-806	Grant Boyhood Home Improvements	\$	200,000	5950
CAP-809	Cincinnati Ballet Facility Improvements	\$	450,000	5951
CAP-811	National First Ladies Library	\$	500,000	5952
CAP-814	Crawford Museum of Transportation & Industry	\$	2,500,000	5953
Total Arts and Sports Facilities Commission		\$	29,222,572	5954
TOTAL Arts Facilities Building Fund		\$	29,222,572	5955

CENTER OF SCIENCE AND INDUSTRY - TOLEDO 5956

The amount reappropriated for the foregoing item CAP-003, 5957  
Center of Science and Industry - Toledo, is \$6,559 plus the 5958  
unencumbered and unallotted balances as of June 30, 2002, in 5959  
appropriation item CAP-003, Center of Science and Industry - 5960  
Toledo. 5961

VALENTINE THEATRE 5962

The amount reappropriated for the foregoing appropriation 5963  
item CAP-004, Valentine Theatre, is \$31,828 plus the unencumbered 5964  
and unallotted balances as of June 30, 2002, in appropriation item 5965  
CAP-004, Valentine Theatre. 5966

CENTER OF SCIENCE AND INDUSTRY - COLUMBUS 5967

The amount reappropriated for the foregoing appropriation 5968  
item CAP-005, Center of Science and Industry - Columbus, is 5969  
\$190,334 plus the unencumbered and unallotted balances as of June 5970  
30, 2002, in appropriation item CAP-005, Center of Science and 5971  
Industry - Columbus. 5972

COSI COLUMBUS - LOCAL ADMINISTRATION OF CAPITAL PROJECT 5973  
CONTRACTS 5974

Notwithstanding division (A) of section 3383.07 of the 5975  
Revised Code, the Ohio Arts and Sports Facilities Commission, with 5976  
respect to the foregoing appropriation item CAP-005, Center of 5977  
Science and Industry - Columbus may administer all or part of 5978  
capital facilities project contracts involving exhibit fabrication 5979  
and installation as determined by the Department of Administrative 5980  
Services, the Center of Science and Industry - Columbus, and the 5981  
Ohio Arts and Sports Facilities Commission in review of the 5982  
project plans. The Ohio Arts and Sports Facilities Commission 5983  
shall enter into a contract with the Center of Science and 5984  
Industry - Columbus to administer the exhibit fabrication and 5985  
installation contracts and such contracts are not subject to 5986  
Chapter 123. or 153. of the Revised Code. 5987

SANDUSKY STATE THEATRE IMPROVEMENTS 5988

The amount reappropriated for the foregoing appropriation 5989  
item CAP-010, Sandusky State Theatre Improvements, is \$2,633 plus 5990  
the unencumbered and unallotted balances as of June 30, 2002, in 5991  
appropriation item CAP-010, Sandusky State Theatre Improvements. 5992

STAMBAUGH HALL IMPROVEMENTS 5993

The amount reappropriated for the foregoing appropriation 5994  
item CAP-013, Stambaugh Hall Improvements, is \$1,477 plus the 5995  
unencumbered and unallotted balances as of June 30, 2002, in 5996  
appropriation item CAP-013, Stambaugh Hall Improvements. 5997

OHIO AGRICULTURAL AND INDUSTRIAL HERITAGE CENTER 5998

The amount reappropriated for the foregoing appropriation 5999  
item CAP-056, Ohio Agricultural and Industrial Heritage Center, is 6000  
\$1,787 plus the unencumbered and unallotted balances as of June 6001  
30, 2002, in appropriation item CAP-056, Ohio Agricultural and 6002  
Industrial Heritage Center. 6003

NATIONAL UNDERGROUND RAILROAD FREEDOM CENTER 6004

The amount reappropriated for appropriation item CAP-044, 6005  
National Underground Railroad Freedom Center, is the sum of the 6006  
unencumbered and unallotted balance as of June 30, 2002, in 6007  
appropriation item CAP-044, National Underground Railroad Freedom 6008  
Center, and CAP-029, Cincinnati Riverfront Development. 6009

**Section 21.** All items set forth in this section are hereby 6010  
appropriated out of any moneys in the state treasury to the credit 6011  
of the Ohio Parks and Natural Resources Fund (Fund 031) and 6012  
derived from the proceeds of obligations heretofore authorized to 6013  
pay costs of capital facilities, as defined in sections 151.01 and 6014  
151.05 of the Revised Code, for natural resource-related purposes. 6015

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES 6016

STATEWIDE AND LOCAL PROJECTS 6017

CAP-012	Land Acquisition	\$	3,280,309	6018
CAP-702	Upgrade Underground Fuel Storage Tanks	\$	1,021,843	6019
CAP-703	Cap Abandoned Water Wells	\$	225,140	6020
CAP-746	Athens District Office-Land Acquisition,	\$	188,600	6021

	Design, and Construction			
CAP-747	DNR Fairground Areas-General Upgrading	\$	96,231	6022
CAP-748	Local Parks Projects - Statewide	\$	7,242,859	6023
CAP-751	City of Portsmouth Launch Ramp	\$	454,950	6024
CAP-753	Project Planning	\$	280,171	6025
CAP-780	City of Huron Project	\$	209,802	6026
CAP-784	Inland Access	\$	42,100	6027
CAP-788	Community Recreation Projects	\$	60,000	6028
CAP-814	North of Rush Run Wildlife Area	\$	200	6029
CAP-834	Appraisal Fees - Statewide	\$	98,265	6030
CAP-844	Put-In-Bay Township Port Authority	\$	79,784	6031
CAP-868	New Philadelphia Office Relocation	\$	1,500,000	6032
CAP-874	Lake Erie Access	\$	302,682	6033
CAP-875	Ohio River Access	\$	300,787	6034
CAP-881	Dam Rehabilitation	\$	14,060,581	6035
CAP-928	Handicapped Accessibility	\$	937,800	6036
CAP-929	Hazardous Waste/Asbestos Abatement	\$	455,357	6037
CAP-931	Wastewater/Water Systems Upgrades	\$	9,936,503	6038
CAP-932	Wetlands/Waterfront Acquisition	\$	321,811	6039
CAP-934	Operations Facilities Development	\$	3,072,000	6040
CAP-948	Burke's Point Launch Ramp	\$	91,938	6041
CAP-995	Boundary Protection	\$	304,051	6042
CAP-999	Geographic Information Management System	\$	1,909,866	6043
	Total Statewide and Local Projects	\$	46,473,630	6044
	DIVISION OF CIVILIAN CONSERVATION			6045
CAP-750	Quilter CCC Camp	\$	900	6046
CAP-817	Riffe CCC Camp	\$	1,309	6047
CAP-835	Civilian Conservation Facilities	\$	1,858,057	6048
CAP-961	Zaleski CCC Camp	\$	900	6049
	Total Division of Civilian Conservation	\$	1,861,166	6050
	DIVISION OF FORESTRY			6051
CAP-021	Mohican State Forest	\$	1,200	6052
CAP-030	Shawnee State Forest	\$	5,405	6053

CAP-073	Brush Creek State Forest	\$	5,850	6054
CAP-146	Zaleski State Forest	\$	200	6055
CAP-213	Shade River State Forest	\$	200	6056
CAP-793	Perry State Forest	\$	1,253	6057
CAP-841	Operations and Maintenance Facility Development and Renovation	\$	1,654,852	6058
Total Division of Forestry		\$	1,668,960	6059
DIVISION OF GEOLOGIC SURVEY				6060
CAP-762	Statewide Geologic Sample Repository Facility	\$	12,498	6061
Total Division of Geologic Survey		\$	12,498	6062
DIVISION OF MINERAL RESOURCES MANAGEMENT				6063
CAP-867	Reclamation Facilities Renovation and Development	\$	250,000	6064
Total Division of Mineral Resources Management		\$	250,000	6065
DIVISION OF NATURAL AREAS AND PRESERVES				6066
CAP-006	Little Beaver Creek Nature Preserve	\$	1,500	6067
CAP-749	Southwest Ohio Boundary Surveys	\$	10,012	6068
CAP-757	Cranberry Island Natural Area	\$	2,300	6069
CAP-765	Clifton Gorge Natural Area	\$	2,000	6070
CAP-768	Grand River Wildlife Area	\$	5,550	6071
CAP-770	Chaparral Prairie Nature Preserve	\$	900	6072
CAP-826	Natural Areas and Preserves Maintenance/Facility Development	\$	1,937,310	6073
Total Division of Natural Areas		\$	1,959,572	6074
DIVISION OF WILDLIFE				6075
CAP-764	Fire Lookout/Radio Tower Inspections	\$	2,121	6076
Total Division of Wildlife		\$	2,121	6077
DIVISION OF PARKS AND RECREATION				6078
CAP-003	Barkcamp State Park	\$	3,025	6079
CAP-010	East Harbor State Park	\$	38,129	6080
CAP-016	Hueston Woods State Park	\$	4,800	6081
CAP-017	Indian Lake State Park	\$	3,744	6082

CAP-018	Kelleys Island State Park	\$	3,825	6083
CAP-025	Punderson State Park	\$	97,357	6084
CAP-026	Pymatuning State Park	\$	110,845	6085
CAP-029	Salt Fork State Park	\$	4,285	6086
CAP-032	West Branch State Park	\$	197,555	6087
CAP-037	Kiser Lake State Park	\$	13,166	6088
CAP-060	East Fork State Park	\$	27,675	6089
CAP-064	Geneva State Park	\$	2,300	6090
CAP-067	Guilford Lake State Park	\$	1,400	6091
CAP-089	Mosquito Lake State Park	\$	32,318	6092
CAP-114	Beaver Creek State Park	\$	12,000	6093
CAP-120	Harrison Lake State Park	\$	5,600	6094
CAP-166	Adams Lake State Park	\$	1,800	6095
CAP-222	Wolf Run State Park	\$	3,809	6096
CAP-234	State Parks, Campgrounds, Lodges, and Cabins	\$	5,515,492	6097
CAP-305	Maumee Bay State Park	\$	900	6098
CAP-331	Park Boating Facilities	\$	7,013,069	6099
CAP-390	State Park Maintenance/Facility Development	\$	2,083,780	6100
CAP-815	Mary Jane Thurston State Park	\$	2,200	6101
CAP-825	Marblehead Lighthouse State Park	\$	43,500	6102
CAP-829	Sycamore State Park	\$	500	6103
CAP-836	State Park Renovations/Upgrading	\$	6,011,853	6104
CAP-851	Cleveland Lakefront	\$	240,000	6105
Total Division of Parks and Recreation		\$	21,474,927	6106
DIVISION OF SOIL AND WATER CONSERVATION				6107
CAP-809	State Parks Lakes Restoration	\$	541,670	6108
CAP-810	New Facilities at Farm Science Review	\$	500	6109
Total Division of Soil and Water Conservation		\$	542,170	6110
DIVISION OF WATER				6111
CAP-705	Rehabilitate Canals, Hydraulic Works, and Support Facilities	\$	6,064,233	6112

CAP-730	Miami and Erie Canal	\$	7,050	6113
CAP-819	Rehabilitate/Automate - Ohio Ground Water Observation Well Network	\$	543,756	6114
CAP-820	Automated Stream, Lake, and Ground Water Data Collection	\$	509,396	6115
CAP-822	Flood Hazard Information Studies	\$	5,518	6116
CAP-833	Ohio and Erie Canal	\$	126,884	6117
CAP-848	Hazardous Dam Repair - Statewide	\$	500,000	6118
CAP-873	Mill Creek Watershed	\$	24,378	6119
	Total Division of Water	\$	7,781,215	6120
	TOTAL Department of Natural Resources	\$	82,026,259	6121
	TOTAL Ohio Parks and Natural Resources Fund	\$	82,026,259	6122

**Section 21.01. LAND ACQUISITION** 6124

Of the foregoing appropriation item CAP-012, Land 6125  
Acquisition, \$300,000 shall be used by the City of Mentor to 6126  
purchase property for the Mentor Marsh. 6127

**CHIPPEWA MARINA** 6128

Of the foregoing appropriation item CAP-331, Park Boating 6129  
Facilities, \$200,000 shall be used for the Chippewa Marina 6130  
Rehabilitation at Indian Lake State Park in Logan County for dock 6131  
replacement, additional docks, and seawall repairs. 6132

**MIAMI AND ERIE CANAL IMPROVEMENTS** 6133

Of the foregoing appropriation item CAP-705, Rehabilitate 6134  
Canals, Hydraulic Works, and Support Facilities, at least 6135  
\$1,250,000 shall be used for Miami and Erie Canal improvements. 6136

**REHABILITATE CANALS, HYDRAULIC WORKS, AND SUPPORT FACILITIES** 6137

Of the foregoing reappropriation item CAP-705, Rehabilitate 6138  
Canals, Hydraulic Works, and Support Facilities, \$150,000 shall be 6139  
used for Miami-Erie Canal Improvements in Allen County and 6140  
\$1,000,000 shall be used for the Ohio Canal Lock 3 Revitalization. 6141

OPERATIONS AND MAINTENANCE FACILITY DEVELOPMENT AND 6142  
RENOVATION 6143

Of the foregoing reappropriation item CAP-841, Operations and 6144  
Maintenance Facility Renovation and Development, \$8,000 shall be 6145  
used for Perry State Forest Fencing in Perry County, and \$10,000 6146  
shall be used for Harrison State Forest Improvements. 6147

LOCAL PARKS PROJECTS - STATEWIDE 6148

The amount reappropriated for the foregoing appropriation 6149  
item CAP-748, Local Parks Projects - Statewide, is \$1,311,625 plus 6150  
the unencumbered and unallotted balance as of June 30, 2002, in 6151  
item CAP-748, Local Parks Projects - Statewide. The \$1,311,625 6152  
represents amounts that were previously appropriated, allocated to 6153  
counties pursuant to division (D) of section 1557.06 of the 6154  
Revised Code, and encumbered for local project grants. The 6155  
encumbrances for these local projects in the various counties 6156  
shall be canceled by the Director of Natural Resources or the 6157  
Director of Budget and Management. The Director of Natural 6158  
Resources shall allocate the \$1,311,625 to the same counties the 6159  
moneys were originally allocated to, in the amount of the canceled 6160  
encumbrances. 6161

COMMUNITY RECREATION PROJECTS 6162

Of the foregoing appropriation item CAP-788, Community 6163  
Recreation Projects, grants shall be made for the following 6164  
projects: \$10,000 for Goodale Park Improvements, \$20,000 for Grove 6165  
City Park Improvements, \$100,000 for Chagrin Falls Park, \$10,000 6166  
for Holmes County Park District, \$60,000 for the Leighty Lake 6167  
Restoration Project, \$300,000 for Firestone Park Improvements, 6168  
\$50,000 for Dover City Parks, \$50,000 for New Philadelphia City 6169  
Park, and \$82,000 for Hamilton Township Park at Foster. 6170

DAM REHABILITATION 6172

Of the foregoing appropriation item CAP-881, Dam 6173  
Rehabilitation, up to \$5,000,000 shall be used to rehabilitate the 6174  
Muskingum River Locks and Dams. 6175

**Section 21.02.** For the projects appropriated in Section 21 of 6176  
this act, the Ohio Department of Natural Resources shall 6177  
periodically prepare and submit to the Director of Budget and 6178  
Management the estimated design, planning, and engineering costs 6179  
of capital-related work to be done by the Department of Natural 6180  
Resources for each project. Based on the estimates, the Director 6181  
of Budget and Management may release appropriations from the 6182  
foregoing appropriation item CAP-753, Project Planning, to pay for 6183  
design, planning, and engineering costs incurred by the Department 6184  
of Natural Resources for such projects. Upon release of the 6185  
appropriations by the Director of Budget and Management, the 6186  
Department of Natural Resources shall pay for these expenses from 6187  
Fund 4S9, Capital Expenses, and be reimbursed by Fund 031 using an 6188  
intrastate voucher. 6189

**Section 22.** All items set forth in this section are hereby 6190  
appropriated out of any moneys in the state treasury to the credit 6191  
of the School Building Program Assistance Fund (Fund 032) and 6192  
derived from the proceeds of obligations heretofore authorized to 6193  
pay the cost to the state of constructing classroom facilities 6194  
pursuant to sections 3318.01 to 3318.35 of the Revised Code. 6195

Reappropriations

SFC SCHOOL FACILITIES COMMISSION			6196
CAP-770	School Building Program Assistance	\$ 27,647,407	6197
CAP-775	Big Eight Capital Improvement Program	\$ 4,647,407	6198
CAP-776	Emergency School Building Repair Program	\$ 1,000,000	6199
CAP-779	Exceptional Needs	\$ 8,776,860	6200
Total School Facilities Commission			\$ 41,424,267 6201
TOTAL School Building Program Assistance Fund			\$ 41,424,267 6202

**Section 22.01.** BIG EIGHT SCHOOL DISTRICTS 6204

(A) The amount reappropriated for the foregoing appropriation 6205  
item CAP-775, Big Eight Capital Improvement Program, shall be used 6206  
by the School Facilities Commission to provide funding to the big 6207  
eight school districts, as defined in section 3314.02 of the 6208  
Revised Code, to be used for major renovations and repairs of 6209  
school facilities. Big eight school districts that levy at least 6210  
2.5 voted mills for permanent improvements also are eligible to 6211  
expend funding from this program for additions to existing 6212  
facilities. However, any big eight school district that does so 6213  
shall receive no financial assistance from the School Facilities 6214  
Commission for the purpose of replacing that facility for a period 6215  
of at least twenty years. These appropriations shall be allocated 6216  
to the big eight school districts on a per-pupil basis, based on 6217  
fiscal year 1997 average daily membership as defined in section 6218  
3317.03 of the Revised Code. School districts that receive 6219  
conditional approval by the Controlling Board, pursuant to section 6220  
3318.04 of the Revised Code, to participate in the Accelerated 6221  
Urban School Building Program are no longer eligible to receive 6222  
funding from the Big Eight Capital Improvement Program, except for 6223  
appropriations already encumbered at the time the conditional 6224  
approval is granted. To be eligible to receive appropriations from 6225  
the Big Eight Capital Improvement Program, each school district 6226  
shall: 6227

(1) Provide a 100 per cent match from funds that are approved 6228  
by the School Facilities Commission. Except for, after the 6229  
effective date of this section, eligible districts in the first 6230  
through fiftieth percentile, as determined under section 3318.011 6231  
of the Revised Code, shall provide a match to their remaining 6232  
balances in the Big Eight Renovation Program as of the effective 6233  
date of this section such that the local match is equal to the 6234  
district's percentage share contribution as determined under the 6235

fiscal year 2002 three-year average adjusted valuation per pupil 6236  
list pursuant to section 3318.011 of the Revised Code. 6237

(2) Develop and submit a capital renovations plan for the use 6238  
of the state and local funds subject to approval by the School 6239  
Facilities Commission. 6240

(B) The Executive Director of the School Facilities 6241  
Commission may from time to time request the Director of Budget 6242  
and Management to transfer any unencumbered and unallotted 6243  
balances in appropriation item CAP-775, Big Eight Capital 6244  
Improvement Program, to appropriation item CAP-770, School 6245  
Building Program Assistance. Any amounts transferred are hereby 6246  
appropriated. 6247

**Section 23.** All items set forth in Sections 23.01 to 23.03 of 6248  
this act are hereby appropriated out of any moneys in the state 6249  
treasury to the credit of the Mental Health Facilities Improvement 6250  
Fund (Fund 033) and derived from the proceeds of obligations 6251  
heretofore authorized to pay costs of capital facilities, as 6252  
defined in section 154.01 of the Revised Code, for mental hygiene 6253  
and retardation. 6254

Reappropriations

**Section 23.01.** ADA DEPARTMENT OF ALCOHOL AND DRUG ADDICTION 6255  
SERVICES 6256  
CAP-001 Renovate Rollman Center \$ 25,640 6257  
CAP-002 Community Assistance Projects \$ 4,161,744 6258  
Total Department of Alcohol and Drug Addiction 6259  
Services \$ 4,187,384 6260

Reappropriations

**Section 23.02.** DMH DEPARTMENT OF MENTAL HEALTH 6262  
STATEWIDE AND CENTRAL OFFICE PROJECTS 6263

CAP-092	Hazardous Materials Abatement	\$	6,000	6264
CAP-479	Community Assistance Projects	\$	2,291,633	6265
CAP-946	Demolition	\$	10,000	6266
CAP-976	Life Safety/Critical Plant Renovations	\$	80,713	6267
CAP-977	Patient Care/Environment Improvement	\$	4,419,423	6268
CAP-978	Infrastructure Renovations	\$	29,000	6269
CAP-981	Emergency Improvements	\$	2,000,000	6270
CAP-986	Campus Consolidation	\$	1,001,000	6271
Total Department of Mental Health				6272

HAZARDOUS MATERIALS ABATEMENT 6273

The amount reappropriated for appropriation item CAP-092, 6274  
Hazardous Materials Abatement, is the sum of the unencumbered and 6275  
unallotted balances as of June 30, 2002, in appropriation items 6276  
CAP-973, Abatement of Hazardous Airborne Materials, and CAP-092, 6277  
Hazardous Materials Abatement. 6278

LIFE SAFETY AND CRITICAL PLANT RENOVATIONS 6279

The amount reappropriated for appropriation item CAP-976, 6280  
Life Safety/Critical Plant Renovations, is the sum of the 6281  
unencumbered and unallotted balances as of June 30, 2002, in 6282  
appropriation items CAP-954, Fire Suppression Improvements - 6283  
Dayton; CAP-979, Life Safety/Critical Plant Renovation; CAP-983, 6284  
Life Safety/Critical Plant Renovation; and CAP-976, Life 6285  
Safety/Critical Plant Renovation. 6286

PATIENT CARE AND ENVIRONMENT IMPROVEMENTS 6287

The amount reappropriated for appropriation item CAP-977, 6288  
Patient Care/Environment Improvements, is the sum of the 6289  
unencumbered and unallotted balances as of June 30, 2002, in 6290  
appropriation items CAP-303, Center School Replacement; CAP-701, 6291  
Energy Conservation Projects; CAP-790, Main Building Addition - 6292  
Phase 1 - Toledo; CAP-822, New Facility Development - Athens; 6293  
CAP-949, Building/Residential Unit Rehabilitation - CMHC; CAP-950, 6294

Residential Unit Reconfiguration - Columbus; CAP-953 6295  
Building/Residential Unit Reconfiguration - North Campus; CAP-956, 6296  
Building/Residential Unit Reconfiguration - Dayton; CAP-958, 6297  
Building/Residential Unit Reconfiguration - MPC; CAP-963, Building 6298  
Reconfiguration/Consolidation - Toledo; CAP-980, Patient 6299  
Environment Improvements/Consolidation; CAP-984, Patient 6300  
Environment Improvements/Consolidation; and CAP-977, Patient 6301  
Care/Environment Improvements. 6302

INFRASTRUCTURE RENOVATIONS 6303

The amount reappropriated for appropriation item CAP-978, 6304  
Infrastructure Renovations, is the sum of the unencumbered and 6305  
unallotted balances as of June 30, 2002, in appropriation items 6306  
CAP-825, Dietary Facility Development; CAP-930, Boiler/HVAC 6307  
Renovation - Phase 2; CAP-833, Dietary Renovation - North Campus; 6308  
CAP-943, Dietary Delivery System; CAP-947, Telephone System 6309  
Renovation; CAP-951, Utility Consolidation/Site Improvements - 6310  
Columbus; CAP-982, Infrastructure Renovations; CAP-985, 6311  
Infrastructure Renovations; CAP-987, Telecommunication 6312  
Renovations; and CAP-978, Infrastructure Renovations. 6313

CAMPUS CONSOLIDATION 6314

The amount reappropriated for appropriation item CAP-986, 6315  
Campus Consolidation, is the sum of the unencumbered and 6316  
unallotted balances as of June 30, 2002, in appropriation items 6317  
CAP-906, Campus Consolidation Planning; and CAP-986, Campus 6318  
Consolidation. 6319

Reappropriations

**Section 23.03.** DMR DEPARTMENT OF MENTAL RETARDATION AND 6320

DEVELOPMENTAL DISABILITIES 6321

STATEWIDE PROJECTS 6322

CAP-001 Asbestos Abatement \$ 1,069,021 6323  
CAP-480 Community Assistance Projects \$ 21,218,745 6324

CAP-886	Replacement of Underground Tanks	\$	4,500	6325
CAP-901	Razing of Buildings	\$	500,000	6326
CAP-912	Telecommunications Systems Improvement	\$	354,005	6327
CAP-941	Emergency Generator Replacement	\$	426,400	6328
CAP-955	Statewide Developmental Centers	\$	990,659	6329
CAP-961	Energy Conservation	\$	345,990	6330
CAP-981	Emergency Improvements	\$	477,888	6331
Total Statewide and Central Office Projects				6332

COMMUNITY ASSISTANCE PROJECTS 6333

The foregoing appropriation item CAP-480, Community Assistance Projects, may be used to provide community assistance funds for the construction or renovation of facilities for day programs or residential programs that provide services to persons eligible for services from the Department of Mental Retardation and Developmental Disabilities or county boards of mental retardation and developmental disabilities. Any funds provided to nonprofit agencies for the construction or renovation of facilities for persons eligible for services from the Department of Mental Retardation and Developmental Disabilities and county boards of mental retardation and developmental disabilities are subject to the prevailing wage provisions in section 176.05 of the Revised Code.

STATEWIDE DEVELOPMENTAL CENTERS 6347

The amount reappropriated for the foregoing appropriation item CAP-955, Statewide Developmental Centers, is the sum of the unencumbered and unallotted balances as of June 30, 2002, in appropriation items CAP-014, Electrical System Renovations; CAP-479, Community Residential Projects; CAP-712, Administration/Education/Workshop; CAP-849, Exterior Renovations; CAP-854, Renovate Residential Buildings; CAP-888, New Dietary/Support Service Building - CDC; CAP-890, Roof Renovations - GDC; CAP-897, ADA Compliance Improvements - TDC; CAP-916,

Electrical System Renovation; CAP-918, Renovation of Water			6357
Wells/Tower; CAP-921, Window Replacements; CAP-929, Program			6358
Building Renovation; CAP-930, Garza Building Renovation; CAP-939,			6359
Tunnel and Site Improvements; CAP-942, Fire Alarm/Sprinkler System			6360
Improvements; and CAP-980, Pool Chemical Feed System.			6361
APPLE CREEK DEVELOPMENTAL CENTER			6362
CAP-790	Cortland Hall Renovation	\$ 31,183	6363
CAP-791	Jonathan Hall Renovation	\$ 417,107	6364
CAP-795	Ruby Hall Renovation	\$ 320,000	6365
CAP-940	Sewage Treatment Plant Renovation	\$ 55,307	6366
CAP-953	Door Replacements	\$ 61,000	6367
CAP-956	Apple Creek Developmental Center	\$ 126,611	6368
Total Apple Creek Developmental Center		\$ 1,011,208	6369
CAMBRIDGE DEVELOPMENTAL CENTER			6370
CAP-711	Residential Renovations - CAMDC	\$ 150,000	6371
CAP-910	HVAC Renovations - Residential Buildings	\$ 53,550	6372
CAP-913	Cambridge HVAC Upgrade - Activity Center	\$ 250,000	6373
CAP-957	Cambridge Developmental Center	\$ 489,668	6374
CAP-969	Utility Upgrade Centerwide	50,000	6375
Total Cambridge Developmental Center		\$ 993,218	6376
COLUMBUS DEVELOPMENTAL CENTER			6377
CAP-106	Roof Repairs - Various Buildings	\$ 300,000	6378
CAP-852	Fire Alarm System Improvements	\$ 200,000	6379
CAP-958	Columbus Developmental Center	\$ 1,029,908	6380
CAP-970	Clinical/Support Building Addition	\$ 308,000	6381
Total Columbus Developmental Center		\$ 1,837,908	6382
GALLIPOLIS DEVELOPMENTAL CENTER			6383
CAP-723	HVAC System Replacement	\$ 407,000	6384
CAP-853	Residential Renovations - GDC	\$ 23,180	6385
CAP-959	Gallipolis Developmental Center	\$ 252,433	6386
CAP-971	Replace Fire Alarm System	\$ 2,500	6387
CAP-972	Refrigerator and Freezer Renovation	40,000	6388
CAP-973	Replace Steam Absorption Unit	\$ 130,000	6389

Total Gallipolis Developmental Center		\$	855,113	6390
MONTGOMERY DEVELOPMENTAL CENTER				6391
CAP-728	Maintenance Shop Addition	\$	187,848	6392
CAP-805	Replacement of Fire Alarm System	\$	150,000	6393
CAP-945	Roof and Exterior Renovations	\$	53,838	6394
CAP-960	Montgomery Developmental Center	\$	723,322	6395
Total Montgomery Developmental Center		\$	1,115,008	6396
MOUNT VERNON DEVELOPMENTAL CENTER				6397
CAP-080	Renovate Main Kitchen - Rian Hall	\$	121,319	6398
CAP-101	Rian Hall Residential Renovations	\$	224,000	6399
CAP-735	Administration Building Renovation	\$	17,076	6400
CAP-808	Roof Replacement	\$	64,095	6401
CAP-810	Replacement of Fire Alarm System	\$	150,000	6402
CAP-962	Mount Vernon Developmental Center	\$	430,170	6403
CAP-974	Pool/Gymnasium Renovation	\$	60,000	6404
CAP-975	Exterior Building Renovation	\$	75,000	6405
Total Mount Vernon Developmental Center		\$	1,141,660	6406
NORTHWEST OHIO DEVELOPMENTAL CENTER				6407
CAP-738	Residential Laundry Renovation	\$	95,000	6408
CAP-739	Residential Bedroom Renovation	\$	100,000	6409
CAP-947	Replace Chiller	\$	136,525	6410
CAP-963	Northwest Ohio Developmental Center	\$	560,443	6411
CAP-982	Cooling Tower Replacement	\$	50,000	6412
Total Northwest Ohio Developmental Center		\$	941,968	6413
SOUTHWEST OHIO DEVELOPMENTAL CENTER				6414
CAP-863	Residential Renovation - HVAC Upgrade	\$	286,766	6415
CAP-964	Southwest Ohio Developmental Center	\$	171,764	6416
CAP-976	Renovation Program and Support Services Building	\$	175,000	6417
Total Southwest Ohio Developmental Center		\$	633,530	6418
SPRINGVIEW DEVELOPMENTAL CENTER				6419
CAP-742	Renovation - Administration Building	\$	150,000	6420

CAP-864	Renovation of Clark Hall	\$	31,430	6421
CAP-965	Springview Developmental Center	\$	28,986	6422
CAP-977	Roof Replacement	\$	230,000	6423
Total Springview Developmental Center		\$	440,416	6424
TIFFIN DEVELOPMENTAL CENTER				6425
CAP-085	Roof Replacement - Dietary	\$	100,000	6426
CAP-086	Replace Boiler Feedwater Heating and Storage Unit	\$	88,738	6427
CAP-899	Utah & Nevada Buildings Renovation	\$	250,000	6428
CAP-931	Exterior Renovations - Various Buildings	\$	184,825	6429
CAP-933	Sprinkler System Installation	\$	51,407	6430
CAP-966	Tiffin Developmental Center	\$	291,004	6431
Total Tiffin Developmental Center		\$	965,974	6432
WARRENSVILLE DEVELOPMENTAL CENTER				6433
CAP-088	Exterior Lighting Replacement	\$	160,000	6434
CAP-867	Residential Renovations - WDC	\$	75,000	6435
CAP-900	Water Line Replacement - WDC	\$	77,922	6436
CAP-936	HVAC Renovations	\$	103,185	6437
CAP-950	ADA Compliance - WDC	\$	41,435	6438
CAP-951	Central Kitchen Improvements	\$	50,256	6439
CAP-967	Warrensville Developmental Center	\$	247,117	6440
CAP-978	Boiler Replacement	\$	260,000	6441
Total Warrensville Developmental Center		\$	1,014,915	6442
YOUNGSTOWN DEVELOPMENTAL CENTER				6443
CAP-091	Water Line Renovation	\$	75,000	6444
CAP-871	Residential Renovations	\$	181,131	6445
CAP-904	Roof Renovations - YDC	\$	82,152	6446
CAP-952	Catch Basin and Gutter Replacement	\$	50,923	6447
CAP-968	Youngstown Developmental Center	\$	210,312	6448
Total Youngstown Developmental Center		\$	599,518	6449
TOTAL Department of Mental Retardation				6450
and Developmental Disabilities		\$	36,937,644	6451
TOTAL Mental Health Facilities Improvement Fund		\$	50,962,797	6452

**Section 23.04.** The foregoing capital improvements for which 6454  
appropriations are made in Sections 23.01 to 23.03 of this act are 6455  
determined to be capital improvements and capital facilities for 6456  
mental hygiene and retardation, and are designated as the capital 6457  
facilities to which proceeds of obligations in the Mental Health 6458  
Facilities Improvement Fund, created by section 154.20 of the 6459  
Revised Code, are to be applied. The foregoing appropriations for 6460  
the Department of Alcohol and Drug Addiction Services, CAP-002, 6461  
Community Assistance Projects; Department of Mental Health, 6462  
CAP-479, Community Assistance Projects; and Department of Mental 6463  
Retardation and Developmental Disabilities, CAP-480, Community 6464  
Assistance Projects, may be used on facilities constructed or to 6465  
be constructed pursuant to Chapter 340., 3793., 5119., 5123., or 6466  
5126. of the Revised Code or the authority granted by section 6467  
154.20 of the Revised Code and the rules adopted pursuant to those 6468  
chapters and that section and shall be distributed by the 6469  
Department of Alcohol and Drug Addiction Services, the Department 6470  
of Mental Health, and the Department of Mental Retardation and 6471  
Developmental Disabilities, subject to Controlling Board approval. 6472

**Section 23.05.** (A) No capital improvement appropriations made 6473  
in Sections 23.01 to 23.03 of this act shall be released for 6474  
planning or for improvement, renovation, or construction or 6475  
acquisition of capital facilities if a governmental agency, as 6476  
defined in section 154.01 of the Revised Code, does not own the 6477  
real property that constitutes the capital facilities or on which 6478  
the capital facilities are or will be located. This restriction 6479  
does not apply in any of the following circumstances: 6480

(1) The governmental agency has a long-term (at least fifteen 6481  
years) lease of, or other interest (such as an easement) in, the 6482  
real property. 6483

(2) In the case of an appropriation for capital facilities 6484

that, because of their unique nature or location, will be owned or  
be part of facilities owned by a separate nonprofit organization  
and made available to the governmental agency for its use or  
operated by the nonprofit organization under contract with the  
governmental agency, the nonprofit organization either owns or has  
a long-term (at least fifteen years) lease of the real property or  
other capital facility to be improved, renovated, constructed, or  
acquired and has entered into a joint or cooperative use  
agreement, approved by the Department of Mental Health, Department  
of Mental Retardation and Developmental Disabilities, or  
Department of Alcohol and Drug Addiction Services, whichever is  
applicable, with the governmental agency for that agency's use of  
and right to use the capital facilities to be financed and, if  
applicable, improved, the value of such use or right to use being,  
as determined by the parties, reasonably related to the amount of  
the appropriation.

(B) In the case of capital facilities referred to in division  
(A)(2) of this section, the joint or cooperative use agreement  
shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or  
cooperative use, extending for no fewer than fifteen years, with  
the value of such use or right to use to be, as determined by the  
parties and approved by the applicable department, reasonably  
related to the amount of the appropriation;

(2) Provide for pro rata reimbursement to the state should  
the arrangement for joint or cooperative use by a governmental  
agency be terminated;

(3) Provide that procedures to be followed during the capital  
improvement process will comply with appropriate applicable state  
statutes and rules, including provisions of this act.

6485  
6486  
6487  
6488  
6489  
6490  
6491  
6492  
6493  
6494  
6495  
6496  
6497  
6498  
6499  
6500  
6501  
6502  
6503  
6504  
6505  
6506  
6507  
6508  
6509  
6510  
6511  
6512  
6513  
6514  
6515

**Section 24.** All items set forth in Sections 24.01 to 24.56 of this act are hereby appropriated out of any moneys in the state treasury to the credit of the Higher Education Improvement Fund (Fund 034) and derived from the proceeds of obligations heretofore authorized to pay the costs of capital facilities, as defined in sections 151.01 and 151.04 of the Revised Code, for state-supported and state-assisted institutions of higher education.

Reappropriations

**Section 24.01.** OEB OHIO EDUCATIONAL TELECOMMUNICATIONS NETWORK COMMISSION

CAP-001	Educational Television and Radio Equipment	\$	3,936,799	
CAP-002	Educational Broadcasting Fiber Optic Network	\$	51,748	
Total Ohio Educational Telecommunications Network Commission				
		\$	3,988,547	

EDUCATIONAL TELEVISION AND RADIO EQUIPMENT

The foregoing appropriation item CAP-001, Educational Television and Radio Equipment, shall be used to provide broadcasting, transmission, and production equipment to Ohio public radio and television stations, radio reading services, and the Ohio Educational Telecommunications Network Commission.

EDUCATIONAL BROADCASTING FIBER OPTIC NETWORK

The foregoing appropriation item CAP-002, Educational Broadcasting Fiber Optic Network, shall be used to link the Ohio public radio and television stations, radio reading services, and the Ohio Educational Broadcasting Network for the reception and transmission of digital communications through fiber optic cable or other technology.

Reappropriations

<b>Section 24.02. BOR BOARD OF REGENTS</b>			6543
CAP-021	Educational Television and Radio Equipment	\$ 124,942	6544
CAP-030	Supercomputer Center Expansion	\$ 6,510	6545
CAP-031	Ohio Aerospace Institute - Building Improvements	\$ 300,692	6546
CAP-032	Research Facility Action and Investment Funds	\$ 14,863,723	6547
CAP-033	Child Care Facility - Matching Grants	\$ 1,627,126	6548
CAP-054	Appalachian-Higher Ed Facilities	\$ 3,379	6549
CAP-060	Technology Initiatives	\$ 10,000,000	6550
CAP-061	Central State Rehabilitation	\$ 207,012	6551
CAP-064	Eminent Scholars Capital Grants	\$ 2,750,000	6552
CAP-065	Biomedical Technology Center	\$ 8,500,000	6553
Total Board of Regents			\$ 38,383,384 6554

**Section 24.03. SUPERCOMPUTER CENTER EXPANSION** 6556

The amount reappropriated for the foregoing appropriation 6557  
item CAP-030, Supercomputer Center Expansion, is the unencumbered 6558  
and unallotted balance as of June 30, 2002, in appropriation item 6559  
CAP-030, Supercomputer Center Expansion, minus \$508,599. 6560

**Section 24.04. RESEARCH FACILITY ACTION INVESTMENT FUNDS** 6561

The amount reappropriated for the foregoing appropriation 6562  
item CAP-032, Research Facility Action and Investment Funds, is 6563  
the sum of the unencumbered and unallotted balance as of June 30, 6564  
2002, in appropriation item CAP-032, Research Facility Action and 6565  
Investment Funds, plus the unencumbered and unallotted balance as 6566  
of June 30, 2002, in Youngstown State University's appropriation 6567  
item CAP-118, X-Ray Defractometer. 6568

**Section 24.05.** RESEARCH FACILITY ACTION AND INVESTMENT FUNDS 6569

6570

The foregoing appropriation item CAP-032, Research Facility 6571  
Action and Investment Funds, shall be used for a program of grants 6572  
to be administered by the Board of Regents to provide timely 6573  
availability of capital facilities for research programs and 6574  
research-oriented instructional programs at or involving 6575  
state-supported and state-assisted institutions of higher 6576  
education. 6577

The Board of Regents shall adopt rules under Chapter 119. of 6578  
the Revised Code relative to the application for and approval of 6579  
projects funded from appropriation item CAP-032, Research Facility 6580  
Action and Investment Funds. The rules shall be reviewed and 6581  
approved by the Legislative Committee on Education Oversight. The 6582  
Board of Regents shall inform the President of the Senate and the 6583  
Speaker of the House of Representatives of each project 6584  
application for funding received. Each project receiving a 6585  
commitment for funding by the Board of Regents under the rules 6586  
shall be reported to the President of the Senate and the Speaker 6587  
of the House of Representatives. 6588

**Section 24.06.** REPAYMENT OF RESEARCH FACILITY ACTION AND 6589

INVESTMENT FUND MONEYS 6590

Notwithstanding any provision of law to the contrary, all 6591  
repayments of Research Facility Action and Investment Fund loans 6592  
shall be made to the Bond Service Account in the Higher Education 6593  
Bond Service Trust Fund. 6594

Institutions of higher education shall make timely repayments 6595  
of Research Facility Action and Investment Fund loans, according 6596  
to the schedule established by the Board of Regents. In the case 6597  
of late payments, the Board of Regents may deduct from an 6598

institution's periodic subsidy distribution an amount equal to the 6599  
amount of the overdue payment for that institution, transfer such 6600  
amount to the Bond Service Trust Fund, and credit the appropriate 6601  
institution for the repayment. 6602

**Section 24.07. CHILD CARE FACILITIES - MATCHING GRANTS** 6603

The foregoing appropriation item CAP-033, Child Care 6604  
Facilities - Matching Grants, shall be used by the Board of 6605  
Regents to make grants to state-supported or state-assisted 6606  
institutions of higher education for projects to expand, 6607  
construct, renovate space, or equip child care centers. All grants 6608  
shall be awarded on a 50 per cent match basis. In making grant 6609  
awards, the Board of Regents shall give priority to: 6610

(A) Projects located at state-supported or state-assisted 6611  
institutions without child care facilities; 6612

(B) Projects for which the principal clients are children of 6613  
students enrolled at the institution; and 6614

(C) Projects where the facility will be used as a 6615  
classroom/training lab for child care/preschool certification 6616  
programs. 6617

**Section 24.08. TECHNOLOGY INITIATIVES** 6618

In order to determine a method of awarding grants from the 6619  
foregoing appropriation item CAP-060, Technology Initiatives, the 6620  
Board of Regents shall form a consultation group including, but 6621  
not limited to, representatives of state-supported and 6622  
state-affiliated colleges and universities, the Office of Budget 6623  
and Management, the Legislative Service Commission, and the 6624  
Legislative Office of Education Oversight. 6625

**Section 24.09. EMINENT SCHOLARS CAPITAL GRANTS** 6626

The foregoing appropriation item CAP-064, Eminent Scholars Capital Grants, shall be used by the Board of Regents to make grants to state colleges and universities and nonprofit institutions of higher education holding certificates of authorization issued under section 1713.02 of the Revised Code that receive endowment grants from appropriation item 235-451, Eminent Scholars. The capital grants shall be used to acquire, renovate, rehabilitate, or construct facilities and purchase equipment to be used by an eminent scholar in the conduct of research and shall require a 50 per cent match from recipient campuses.

The Board of Regents shall convene an Eminent Scholars Advisory Panel that shall make recommendations for the administration of the Eminent Scholars Program, including the award of capital grants. The panel's recommendations for capital grants from appropriation item CAP-064, Eminent Scholars Capital Grants, shall require the approval of the Board of Regents.

**Section 24.10. BIOMEDICAL TECHNOLOGY CENTER**

The foregoing appropriation item CAP-065, Biomedical Technology Center, shall be used by the Center for Applied Biomedical Technologies for site development and the design, construction, and equipment costs of a new biomedical technology resources facility. Prior to release of the funds, a proposal for the construction of the facility and the use of state funds shall be approved by the Biomedical Technology Center Oversight Committee, which is hereby created and consists of the Governor's Science and Technology Advisor, the president of the Edison Bio Technology Center, and the Governor's regional economic development representative for northeastern Ohio. The committee shall determine the extent to which Section 24.54 of this act or appropriate alternative procedures apply to the project. Upon

notification of the committee's approval, the Chancellor of the Board of Regents shall request the Director of Budget and Management or the Controlling Board to release the appropriations. The Biomedical Technology Center Oversight Committee ceases to exist upon the release of all appropriations from this item. This appropriation shall not be used to match any grants made by the Biomedical Research and Technology Transfer Commission.

**Section 24.11. REIMBURSEMENT FOR PROJECT COSTS**

Appropriations made in Sections 24.02 to 24.56 of this act for purposes of the costs of capital facilities for the interim financing of which the particular institution has previously issued its own obligations anticipating the possibility of future state appropriations to pay all or a portion of such costs, as contemplated in division (B) of section 3345.12 of the Revised Code, shall be paid directly to the institution or the paying agent for those outstanding obligations in the full principal amount of those obligations then to be paid from the anticipated appropriation, and shall be timely applied to the retirement of a like principal amount of the institution's obligations.

Appropriations made in Sections 24.02 to 24.56 of this act for purposes of the costs of capital facilities, all or a portion of which costs the particular institution has paid from the institution's moneys that were temporarily available and which payments were reasonably expected to be reimbursed from the proceeds of obligations issued by the state, shall be directly paid to the institution in the full amounts of those payments and shall be timely applied to the reimbursement of those temporarily available moneys.

Reappropriations

**Section 24.12. UAK UNIVERSITY OF AKRON**

CAP-008	Basic Renovations	\$	7,128,474	6687
CAP-047	Polsky Building Renovation	\$	724,887	6688
CAP-049	Basic Renovations - Wayne	\$	173,886	6689
CAP-054	Auburn Science/Whitby Rehabilitation	\$	149,600	6690
CAP-061	Asbestos Abatement	\$	641,327	6691
CAP-063	Child Care Facility	\$	149,998	6692
CAP-066	Global Business Institute	\$	300,000	6693
CAP-067	ADA Modifications	\$	364,735	6694
CAP-075	Infrastructure Materials/Rehabilitation	\$	102,932	6695
CAP-076	Supercritical Fluid Technology	\$	291,900	6696
CAP-077	Leigh Hall Rehabilitation	\$	5,520,471	6697
CAP-079	Science/Technology Library Addition Phase	\$	222,178	6698
	2			
CAP-081	Classroom/Office Building - Arts/Sciences	\$	345,609	6699
CAP-085	Non-Credit Job Training	\$	27,500	6700
CAP-086	Ohio Biomedical Consortium on Medical Therapeutic Micro Devices	\$	69,000	6701
CAP-091	Student Affairs Building	\$	13,977,457	6702
CAP-092	Whitby Hall Rehabilitation	\$	2,694,656	6703
Total University of Akron		\$	32,884,700	6704

Reappropriations

<b>Section 24.13. BGU BOWLING GREEN STATE UNIVERSITY</b>				6706
CAP-009	Basic Renovations	\$	4,526,309	6707
CAP-060	Basic Renovations - Firelands	\$	43,951	6708
CAP-066	South Hall Replacement	\$	7,276	6709
CAP-078	Asbestos Abatement	\$	1,584	6710
CAP-088	ADA Modifications	\$	220,396	6711
CAP-091	Child Care Facility	\$	49,406	6712
CAP-093	Pedestrian Mall Project	\$	24,275	6713
CAP-094	Materials Network	\$	90,981	6714
CAP-095	Video Link	\$	10,644	6715
CAP-102	Network Infrastructure Phase 1	\$	6,346,772	6716

CAP-103	University Community Center - Firelands	\$	2,056,440	6717
CAP-104	Jerome Library Renovations	\$	113,946	6718
CAP-105	Administration Building Elevators	\$	19,777	6719
CAP-106	LSC Stairwell/MSU Exterior Steps	\$	24,486	6720
CAP-108	Tunnel Upgrade - Phase II	\$	129,386	6721
CAP-109	Cedar Point Community Center	\$	515,600	6722
CAP-110	Hannah Hall Rehabilitation	\$	2,005,522	6723
CAP-111	Re-roof East West and North Buildings	\$	503,326	6724
CAP-112	Biology Lab Renovation	\$	54,827	6725
CAP-113	Campus-Wide Paving/Sidewalk Upgrade	\$	352,700	6726
Total Bowling Green State University				6727

BASIC RENOVATIONS 6728

The amount reappropriated for the foregoing appropriation 6729  
item CAP-009, Basic Renovations, shall be the sum of the 6730  
unencumbered and unallotted balances as of June 30, 2002, in 6731  
appropriation items CAP-009, Basic Renovations; CAP-054, 6732  
University Hall Rehabilitation; CAP-055, Fine Arts Addition; 6733  
CAP-056, Modify Continuing Education Offices; CAP-057, Roof 6734  
Renovations; CAP-061, Bursar/Biology Labs/Library/Sewer; CAP-063, 6735  
Eppler Rehabilitation; CAP-081, Large Lecture Hall Renovations; 6736  
CAP-083, Central Heating Plant Replacement; CAP-084, Physical 6737  
Sciences Chiller; CAP-086, Health Center - 2nd Floor Renovations; 6738  
CAP-096, Campus-wide Paving - Phase II; CAP-097, Education 6739  
Building HVAC Upgrades; CAP-098, Sciences Complex Cooling Tower; 6740  
CAP-099, Technology Building Chiller; and CAP-107, Campus Lighting 6741  
Project - Phase II, plus \$2,070. 6742

BASIC RENOVATIONS - FIRELANDS 6743

The amount reappropriated for the foregoing appropriation 6744  
item CAP-060, Basic Renovations - Firelands, is the sum of the 6745  
unencumbered and unallotted balances as of June 30, 2002, in 6746  
appropriation items CAP-060, Basic Renovations - Firelands; 6747  
CAP-067, Energy Conservation Project - Firelands; and CAP-089, ADA 6748

Modifications - Firelands. 6749

Reappropriations

<b>Section 24.14. CSU CENTRAL STATE UNIVERSITY</b>			6750
CAP-022	Basic Renovations	\$ 909,557	6751
CAP-036	National Afro-American Cultural Center/Museum Improvements	\$ 4,975	6752
CAP-043	Paul Dunbar Museum	\$ 1,547	6753
CAP-053	Roof Replacement	\$ 4,101	6754
CAP-068	Instructional and Data Processing Equipment	\$ 16,002	6755
CAP-075	ADA Modifications	\$ 51,645	6756
CAP-078	Brown Library Roof Replacement	\$ 21,479	6757
CAP-082	Child Care Facility	\$ 149,052	6758
CAP-083	Master Plan/Supplemental Renovations	\$ 114,669	6759
CAP-084	College of Education Facility - Planning	\$ 30,400	6760
CAP-085	Green Hall Rehabilitation	\$ 50,406	6761
CAP-089	Student Center Planning	\$ 500,000	6762
CAP-090	Emery Hall Roof Rehabilitation	\$ 632,500	6763
CAP-091	Carnegie Hall Roof Rehabilitation	\$ 457,500	6764
CAP-092	Page Hall Rehabilitation	\$ 1,900,000	6765
CAP-093	Simpson Hall HVAC	\$ 318,800	6766
CAP-094	Hunter Hall HVAC	\$ 555,000	6767
CAP-095	Williamson Hall HVAC	\$ 700,000	6768
CAP-096	Lane Hall Rehabilitation	\$ 3,700,000	6769
CAP-097	Campus-wide Master Plan	\$ 11,366	6770
Total Central State University			\$ 10,128,999 6771

Reappropriations

<b>Section 24.15. UCN UNIVERSITY OF CINCINNATI</b>			6773
CAP-009	Basic Renovations	\$ 6,891,515	6774
CAP-054	Raymond Walters Renovations	\$ 4,428	6775
CAP-115	Hazardous Waste	\$ 29,465	6776

CAP-116	Aerospace Engineering	\$	105,624	6777
CAP-121	Child Care Facility	\$	100,000	6778
CAP-122	Infrastructure Assessment	\$	4,818	6779
CAP-125	Supplemental Renovations - Interior Spaces	\$	15,223	6780
CAP-127	New Classroom/Lab Building - Clermont	\$	21,215	6781
CAP-128	Science and Allied Health Building - Walters	\$	1,859,825	6782
CAP-137	MSB Otolaryngology	\$	1,228	6783
CAP-141	ADA Modifications	\$	239,535	6784
CAP-142	ADA Modifications - Clermont	\$	6,039	6785
CAP-143	ADA Modifications - Walters	\$	2,101	6786
CAP-156	CFC Unit Replacement	\$	2,173	6787
CAP-158	Molecular Components/Simulation Network	\$	14,154	6788
CAP-168	International Friendship Park	\$	3,151,002	6789
CAP-171	Asbestos - Rieveschl Hall	\$	298,057	6790
CAP-173	Surface Engineering	\$	2,292	6791
CAP-174	Classroom/Teaching Lab Renovations	\$	1,284,028	6792
CAP-176	Network Expansion	\$	228,100	6793
CAP-177	Critical Building Component Renovations	\$	2,910,000	6794
CAP-179	Rieveschl Rehabilitation	\$	27,240	6795
CAP-180	Rapid Prototype Process	\$	17,982	6796
CAP-182	Elevator - Critical Building Components	\$	33,271	6797
CAP-188	HPB/Wherry Service Entrances	\$	56,649	6798
CAP-193	Nano Particles	\$	17,015	6799
CAP-194	Transgenic Core Capacity	\$	1,633	6800
CAP-195	Thin Film Analysis	\$	110,452	6801
CAP-196	Electronic Reconstruction	\$	130,649	6802
CAP-197	Med Center Technology	\$	7,260	6803
CAP-198	TC/Dyer Rehabilitation Phase 1A	\$	48,128	6804
CAP-199	TC/Dyer Rehabilitation Phase 1B	\$	226	6805
CAP-201	WC Faculty Media Center	\$	120,116	6806
CAP-202	Baldwin Hall Rehabilitation - Phase I	\$	103,256	6807

CAP-203	Zimmer Plaza & Auditorium Rehabilitation	\$	7,976	6808
CAP-205	Medical Science Building Rehabilitation	\$	3,796,727	6809
CAP-206	One Stop Services Center	\$	3,284,801	6810
CAP-207	Central Campus Infrastructure	\$	232,629	6811
CAP-208	Security System Upgrade	\$	5,279	6812
CAP-209	Library Renovations	\$	101,308	6813
CAP-210	Cincinnati Observatory Center	\$	150,000	6814
CAP-212	Roof Replacement - MSB Complex	\$	24,906	6815
CAP-214	Microscopy	\$	90,000	6816
CAP-215	Ohio Biomedical Consortium on Medical Therapeutic Micro Devices	\$	162,500	6817
CAP-217	Center for Fire and Explosion Science and Technology	\$	178,800	6818
CAP-218	Creation of a P3 Facility	\$	273,808	6819
CAP-223	Teachers College/Dyer Hall Rehabilitation Phase 2	\$	4,136,000	6820
CAP-224	Van Wormer Administrative Building Rehabilitation	\$	16,772	6821
CAP-226	Holocaust Archives at Hebron Union College	\$	250,000	6822
CAP-227	Old Chemistry Roof and Masonry	\$	330,181	6823
CAP-228	MSB G, 1 & 2 Lab Upgrades	\$	50,136	6824
CAP-230	Focused Ion Beam Fabrication	\$	170,000	6825
CAP-231	National Institute of Health	\$	374,250	6826
CAP-232	Expression Technology	\$	215,303	6827
CAP-233	Environmental Scanning Microscope	\$	142,073	6828
CAP-234	Lean Direct Fuel Inject Combustion	\$	90,645	6829
CAP-237	Biomedical Engineering	\$	485,500	6830
CAP-240	Control Tech Hazard Waste/Oil Spill	\$	21,294	6831
CAP-244	Pulse Detonation Engine	\$	140,050	6832
Total University of Cincinnati		\$	32,575,637	6833
NEW CLASSROOM/LAB BUILDING - CLERMONT				6834

The amount reappropriated for the foregoing appropriation 6835  
item CAP-127, New Classroom/Lab Building - Clermont, is \$21,215. 6836

SCIENCE/ALLIED HEALTH BUILDING - WALTERS 6837

The amount reappropriated for the foregoing appropriation 6838  
item CAP-128, Science/Allied Health Building - Walters, is 6839  
\$77,947, plus the unencumbered and unallotted balance as of June 6840  
30, 2002, in appropriation item CAP-128, Science/Allied Health 6841  
Building - Walters. 6842

Reappropriations

**Section 24.16. CLS CLEVELAND STATE UNIVERSITY 6843**

CAP-017	Land Acquisition	\$	594,955	6844
CAP-023	Basic Renovations	\$	750,766	6845
CAP-044	Chester Building Rehabilitation	\$	84,274	6846
CAP-067	17th - 18th Street Block	\$	205,862	6847
CAP-069	Great Lakes Museum for Science, Environment, and Technology	\$	200,000	6848
CAP-088	Asbestos Abatement	\$	1,696,687	6849
CAP-092	Handicapped Requirements	\$	155,485	6850
CAP-099	Main Classroom Plaza Conversion	\$	13,147	6851
CAP-100	Special Studies Space Conversion	\$	1,762	6852
CAP-101	Classroom Building Renovations	\$	50,000	6853
CAP-104	ADA Modifications	\$	409	6854
CAP-109	Classroom Upgrade	\$	15,804	6855
CAP-112	Land Acquisitions	\$	1,035,037	6856
CAP-114	Geographic Information Systems	\$	77,005	6857
CAP-115	Plant Services Building HVAC	\$	14,081	6858
CAP-117	Landscaping/Sidewalks/Stairs	\$	20,436	6859
CAP-118	Structural Concrete Rehabilitation	\$	1,407,013	6860
CAP-120	Physical Education Building Enhancements	\$	53,380	6861
CAP-125	College of Education Building	\$	600,000	6862
CAP-126	Electrical System Upgrades Phase 2	\$	2,291,335	6863

CAP-127	Fire Alarm System Upgrade	\$	400,000	6864
CAP-128	Property Acquisition	\$	1,298,322	6865
CAP-129	Vocational Guidance Campus	\$	30,000	6866
CAP-130	WVIZ Technology Center	\$	1,000,000	6867
CAP-132	Rhodes Tower Stair Renovation	R	1,632	6868
CAP-133	Rhodes Tower Library Carpet	\$	11,980	6869
CAP-134	Physical Education Building Men's Locker Room	\$	16,478	6870
CAP-136	University Center HVAC Phase 1	\$	918,541	6871
CAP-137	University Center Elevator Upgrades	\$	546,500	6872
Total Cleveland State University		\$	13,490,891	6873

CLASSROOM UPGRADE 6874

The amount reappropriated for the foregoing appropriation 6875  
item CAP-109, Classroom Upgrade, is \$5,192 plus the unencumbered 6876  
and unallotted balance as of June 30, 2002, in appropriation item 6877  
CAP-109, Classroom Upgrade. 6878

LANDSCAPING/SIDEWALKS/STAIRS 6879

The amount reappropriated for the foregoing appropriation 6880  
item CAP-117, Landscaping/Sidewalks/Stairs, is \$12,621 plus the 6881  
unencumbered and unallotted balance as of June 30, 2002, in 6882  
appropriation item CAP-117, Landscaping/Sidewalks/Stairs. 6883

Reappropriations

**Section 24.17. KSU KENT STATE UNIVERSITY** 6884

CAP-022	Basic Renovations	\$	2,074,204	6885
CAP-098	Trumbull Branch Addition	\$	13,972	6886
CAP-105	Basic Renovations - East Liverpool	\$	96,138	6887
CAP-106	Basic Renovations - Geauga	\$	114,839	6888
CAP-107	Basic Renovations - Salem	\$	57,426	6889
CAP-110	Basic Renovations - Ashtabula	\$	45,057	6890
CAP-111	Basic Renovations - Trumbull	\$	398,671	6891
CAP-112	Basic Renovations - Tuscarawas	\$	214,947	6892

CAP-121	Supplement Renovations - Tuscarawas	\$	9,756	6893
CAP-122	Faculty Office Addition - Salem	\$	12,072	6894
CAP-126	HVAC Renovations - Ashtabula	\$	5,545	6895
CAP-128	Roof Renovations - Ashtabula	\$	1,435	6896
CAP-134	Roof Replacements	\$	7,000	6897
CAP-137	LCI/Materials Science Building	\$	24,730	6898
CAP-139	Science Building - Stark	\$	54,890	6899
CAP-140	Road Improvements - Trumbull	\$	12,282	6900
CAP-142	Music Center Improvements	\$	3,300,000	6901
CAP-143	Liquid Crystals	\$	1,059,474	6902
CAP-145	Heating Plant Electrical Cable	\$	9,393	6903
CAP-146	Williams Hall Medium Voltage	\$	17,377	6904
CAP-154	Separation Science	\$	1,497	6905
CAP-156	Boiler Plant Controls and Building Alterations	\$	30,194	6906
CAP-157	Moulton Hall Rehabilitation	\$	30,772	6907
CAP-158	Auditorium Building Rehabilitation	\$	495,791	6908
CAP-159	Electrical Substation/Fiber Optic Network	\$	47,087	6909
CAP-160	Patterson Building Renovation - East Liverpool	\$	8,610	6910
CAP-161	Addition to Cunningham Hall	\$	95,071	6911
CAP-162	Science and Technology Building - Trumbull	\$	166,974	6912
CAP-164	ADA Modifications - Ashtabula	\$	6,772	6913
CAP-166	ADA Modifications - Geauga	\$	440	6914
CAP-167	ADA Modifications - Salem	\$	5,312	6915
CAP-168	ADA Modifications - Stark	\$	620	6916
CAP-170	ADA Modifications - Tuscarawas	\$	3,276	6917
CAP-173	Child Care Facility	\$	18,650	6918
CAP-176	Midway Drive Utilities Tunnel - II	\$	84,846	6919
CAP-177	Corporate Education and Conference Center, Phase 2 Stark	\$	69,753	6920
CAP-179	New Power Plant	\$	4,943,431	6921

CAP-184	Distributed Computation/Visualization	\$	33,833	6922
CAP-185	Nixson Hall/Music & Speech Tunnel	\$	4,163	6923
CAP-186	Prentice Hall/Taylor Hall Tunnel	\$	21,919	6924
CAP-187	Fiber Optic Installation, Phase II	\$	4,816	6925
CAP-188	Child Care Funds - East Liverpool	\$	90,000	6926
CAP-189	Child Care Funds - Tuscarawas	\$	19,847	6927
CAP-190	Child Care Funds - Ashtabula	\$	12,500	6928
CAP-194	Child Care - Salem	\$	100,000	6929
CAP-195	Child Care - Geauga	\$	100,000	6930
CAP-196	Technology Improvements - Ashtabula	\$	282,234	6931
CAP-197	Technology Improvements - Geauga	\$	6,044	6932
CAP-198	Technology Improvements - Salem	\$	120,148	6933
CAP-199	Technology Improvements - Trumbull	\$	72,860	6934
CAP-200	Technology Improvements - Tuscarawas	\$	75,000	6935
CAP-202	Utility Tunnel Upgrade	\$	8,490	6936
CAP-206	Child Care Facility and Related Renovations and Additions	\$	277,314	6937
CAP-207	Kent Hall Planning and Addition	\$	4,165,000	6938
CAP-208	Mary Patterson Exterior Renovations	\$	440,621	6939
CAP-210	Rooftop Air Handler Repair/Replacement	\$	1,107	6940
CAP-212	Technology Building Rehabilitation and Addition Planning	\$	908,500	6941
CAP-213	Electric Distribution Renovation	\$	36,396	6942
CAP-214	Stark Selective Interior Renovation	\$	17,558	6943
CAP-215	Library Utility Tunnel Expansion	\$	21,224	6944
CAP-217	Non Credit Job Training	\$	169,915	6945
CAP-218	Henderson Hall Roof Replace/Masonry	\$	56,385	6946
CAP-219	Campus Electrical Infrastructure Improvements	\$	43,800	6947
CAP-220	Campus Steam System Evaluation & Upgrade - New ALI	\$	250,000	6948
CAP-221	Organic Semiconductor Facility	\$	60,000	6949
CAP-222	White Hall Corridor Ceiling/Lighting	\$	44,000	6950

Total Kent State University		\$ 20,981,978	6951
			Reappropriations
<b>Section 24.18. MUN MIAMI UNIVERSITY</b>			6953
CAP-018 Basic Renovations		\$ 4,597,854	6954
CAP-064 Land Restoration - Hamilton		\$ 11,466	6955
CAP-066 Basic Renovations - Hamilton		\$ 484,727	6956
CAP-069 Basic Renovations - Middletown		\$ 408,385	6957
CAP-070 Chilled Water System - Phase 2		\$ 423,189	6958
CAP-072 Hiestand Hall Renovations		\$ 4,315	6959
CAP-081 Cooperative Regional Library Depository SW		\$ 2,546	6960
CAP-083 Campus Avenue Building Renovation		\$ 43,612	6961
CAP-085 Alumni Hall Rehabilitation - Phase I		\$ 65,582	6962
CAP-086 Classroom/Conference Facility - Hamilton		\$ 8,373	6963
CAP-088 Hoyt Hall Rehabilitation		\$ 9,022	6964
CAP-089 High Voltage Electric		\$ 1,026,863	6965
CAP-092 Science Building - Middletown		\$ 701,440	6966
CAP-094 Instructional and Data Processing Equipment		\$ 2,434,816	6967
CAP-096 McGuffey Hall Rehabilitation		\$ 1,142,972	6968
CAP-098 Computer Network Installation		\$ 187,891	6969
CAP-099 King Library Rehabilitation		\$ 15,947	6970
CAP-101 ADA Modifications		\$ 8,399	6971
CAP-102 ADA Modifications - Hamilton		\$ 686	6972
CAP-103 ADA Modifications - Middletown		\$ 2,798	6973
CAP-105 Plant Response/Environmental Stress		\$ 72,641	6974
CAP-107 Gas Phase Chemistry of Ions		\$ 65,647	6975
CAP-109 Molecular Microbial Biology		\$ 67,500	6976
CAP-110 Micromachining Technology		\$ 664,368	6977
CAP-111 Roudebush Hall Rehabilitation		\$ 203,474	6978
CAP-112 Chilled Water Loop Phase I - Hamilton		\$ 564,119	6979
CAP-113 Special Academic/Administrative Projects		\$ 617,803	6980

	- Hamilton			
CAP-114	Chilled Water Loop Phase I - Middletown	\$	750,000	6981
CAP-115	Special Academic/Administrative Projects	\$	1,155,050	6982
	- Middletown			
CAP-116	Hughes Hall Rehabilitation - Phase 2	\$	1,515,875	6983
CAP-117	North Campus Refrigeration/Chilled Water	\$	170,892	6984
CAP-119	Increased Network Access	\$	414,949	6985
CAP-120	Cole Service Building Addition	\$	18,030	6986
CAP-121	Southwestern Book Depository	\$	215,436	6987
CAP-122	Child Care Facility	\$	70,000	6988
CAP-123	Phillips Hall Rehabilitation	\$	709,884	6989
CAP-124	Bonham House Rehabilitation/Multicultural	\$	785,478	6990
	Center Planning			
CAP-127	Campus Steam Distribution - Phase I	\$	500,000	6991
CAP-129	Steam Plant Electrostatic Precipitator	\$	20,953	6992
CAP-130	MacMillan Rehabilitation/Multicultural	\$	4,200,000	6993
	Center			
CAP-131	Miami University Learning Center	\$	500,000	6994
CAP-132	Mass Spectrum Consortium	\$	35,000	6995
CAP-133	Single Crystal X-Ray Diffractometer	\$	70,144	6996
CAP-134	Thermal Ionization Mass Spectrometer	\$	147,481	6997
CAP-135	NMR Spectrometer	\$	159,654	6998
Total Miami University		\$	25,275,261	6999

BASIC RENOVATIONS 7000

The amount reappropriated for the foregoing appropriation 7001  
item CAP-018, Basic Renovations, is the sum of the unencumbered 7002  
and unallotted balances as of June 30, 2002, in appropriation 7003  
items CAP-018, Basic Renovations, and CAP-084, Central Steam Plant 7004  
Addition. 7005

BASIC RENOVATIONS - HAMILTON 7006

The amount reappropriated for the foregoing appropriation 7007  
item CAP-066, Basic Renovations - Hamilton, is \$22,712 plus the 7008

unencumbered and unallotted balance as of June 30, 2002, in	7009
appropriation item CAP-066, Basic Renovations - Hamilton.	7010
LAND RESTORATION - HAMILTON	7011
The amount reappropriated for the foregoing appropriation	7012
item CAP-064, Land Restoration - Hamilton, is the unencumbered and	7013
unallotted balance as of June 30, 2002, in appropriation item	7014
CAP-064, Land Restoration - Hamilton, minus \$22,712.	7015
HOYT HALL REHABILITATION	7016
The amount reappropriated for the foregoing appropriation	7017
item CAP-088, Hoyt Hall Rehabilitation, is \$3,693 plus the	7018
unencumbered and unallotted balance as of June 30, 2002, in	7019
appropriation item CAP-088, Hoyt Hall Rehabilitation.	7020
HIGH VOLTAGE ELECTRIC	7021
The amount reappropriated for the foregoing appropriation	7022
item CAP-089, High Voltage Electric, is \$1,155 plus the	7023
unencumbered and unallotted balance as of June 30, 2002, in	7024
appropriation item CAP-089, High Voltage Electric.	7025
ROUDEBUSH HALL REHABILITATION	7026
The amount reappropriated for the foregoing appropriation	7027
item CAP-111, Roudebush Hall Rehabilitation, is \$161,556 plus the	7028
unencumbered and unallotted balance as of June 20, 2002, in	7029
appropriation item CAP-111, Roudebush Hall Rehabilitation.	7030
CHILLED WATER LOOP - HAMILTON	7031
The amount reappropriated for the foregoing appropriation	7032
item CAP-112, Chilled Water Loop Phase I - Hamilton, is \$507,029	7033
plus the unencumbered and unallotted balance as of June 30, 2002,	7034
in appropriation item CAP-112, Chilled Water Loop - Hamilton.	7035
CHILLED WATER LOOP - MIDDLETOWN	7036
The amount reappropriated for the foregoing appropriation	7037

item CAP-114, Chilled Water Loop Phase I - Middletown, is the 7038  
unencumbered and unallotted balance as of June 30, 2002, in 7039  
appropriation item CAP-114, Chilled Water Loop - Middletown, minus 7040  
\$501,381. 7041

Reappropriations

<b>Section 24.19. OSU OHIO STATE UNIVERSITY</b>			7042
CAP-074	Basic Renovations	\$ 13,197,315	7043
CAP-141	Health Center Access Improvement	\$ 131,820	7044
CAP-149	Basic Renovations - Regional Campuses	\$ 1,286,620	7045
CAP-198	Brown Hall Annex Replacement	\$ 8,310	7046
CAP-216	Evans Lab Addition	\$ 165,124	7047
CAP-217	Library Book Warehouse	\$ 14,721	7048
CAP-254	Basic Renovations - ATI	\$ 204,602	7049
CAP-255	Supplemental Renovations - OARDC	\$ 2,315,052	7050
CAP-256	Supplemental Renovations - Regional	\$ 191,955	7051
CAP-257	Equine Center Phase I	\$ 4,119	7052
CAP-258	Dreese Lab Addition	\$ 283,491	7053
CAP-259	Mendenhall Lab Rehabilitation	\$ 14,691	7054
CAP-261	Bioscience/Parks Hall Addition	\$ 12,584	7055
CAP-268	Horse/Farm Management Facility - ATI	\$ 8,522	7056
CAP-269	Greenhouse Modernization	\$ 40,982	7057
CAP-271	Horticulture/Entomology Greenhouse - OARDC	\$ 9,432	7058
CAP-273	Retrovirus Research Center	\$ 3,554	7059
CAP-274	OARDC Thorne & Gourley Halls	\$ 11,094	7060
CAP-292	Life Sciences Research Building	\$ 925,868	7061
CAP-293	College of Business Facilities	\$ 134,074	7062
CAP-294	Stillman Hall Addition	\$ 58,779	7063
CAP-295	Poultry Science Facility	\$ 8,568	7064
CAP-297	Library/Classroom Building - Marion	\$ 573	7065
CAP-302	Food Science & Technology Building	\$ 99,990	7066
CAP-306	Heart & Lung Institute	\$ 32,437	7067

CAP-311	Superconducting Radiation	\$	65,094	7068
CAP-313	Brain Tumor Research Center	\$	6,001	7069
CAP-314	Engineering Center Net Shape Manufacturing	\$	20,730	7070
CAP-315	Membrane Protein Typology	\$	8,835	7071
CAP-316	Instructional and Data Processing Equipment	\$	198,844	7072
CAP-321	Fine Particle Technologies	\$	157,937	7073
CAP-323	Advanced Plasma Engineering	\$	117,972	7074
CAP-324	Plasma Ramparts	\$	128,530	7075
CAP-326	IN-SITU AL-BE Composites	\$	1,733	7076
CAP-329	Jesse Owens Recreation Center	\$	3,057	7077
CAP-331	Cunz Hall - Partial 2nd Floor Renovation	\$	6,716	7078
CAP-333	Larkins Hall - Roof Replacement Phase III	\$	85,159	7079
CAP-334	Center for Automotive Research	\$	4,681	7080
CAP-335	Jay Cooke Residence - Roof and Windows	\$	86,668	7081
CAP-339	Poultry Science Lab Remodeling	\$	3,679	7082
CAP-342	Success Center	\$	18,571	7083
CAP-346	Hopkins Hall Chiller/Ventilation	\$	1,326	7084
CAP-347	Asbestos Abatement	\$	5,724	7085
CAP-348	Child Care Facility - Marion	\$	2,835	7086
CAP-349	Materials Network	\$	56,025	7087
CAP-350	Bio-Technology Consortium	\$	42,378	7088
CAP-352	Analytical Electron Microscope	\$	375,000	7089
CAP-353	High Temp Alloys & Alluminoids	\$	220,000	7090
CAP-357	Supplemental Renovations - ATI	\$	33,969	7091
CAP-361	Maintenance, Receiving, and Storage Facility - Marion	\$	66,836	7092
CAP-362	McPherson Lab Rehabilitation	\$	178,325	7093
CAP-363	School of Architecture Facility	\$	8,700,556	7094
CAP-368	Heart and Lung Institute	\$	101,808	7095
CAP-372	Veterinary Hospital - Animal Isolation	\$	200	7096
CAP-374	ADA Modifications	\$	473,848	7097

CAP-375	ADA Modifications - ATI	\$	37,204	7098
CAP-376	ADA Modifications - Lima	\$	50,745	7099
CAP-377	ADA Modifications - Mansfield	\$	15,253	7100
CAP-379	ADA Modifications - Newark	\$	4,058	7101
CAP-387	Titanium Alloys	\$	54,912	7102
CAP-391	Haskett/Hopkins Halls Renovations	\$	7,312	7103
CAP-394	ATI/OARDC Roof Replacements	\$	13,913	7104
CAP-398	Advanced Manufacturing	\$	38,579	7105
CAP-399	Manufacturing Processes/Materials	\$	62,574	7106
CAP-401	Terhertz Studies	\$	35,240	7107
CAP-402	Caldwell Laboratory Remodeling	\$	57,304	7108
CAP-406	Marion Park/Road/Sidewalk/Lights	\$	2,750	7109
CAP-407	Dulles Chilled Water	\$	2,095	7110
CAP-411	Campus Grounds - Lights Phase 4	\$	7,018	7111
CAP-412	Hitchcock Hall HVAC Upgrades	\$	10,392	7112
CAP-413	Pomerene Lighting/Wiring	\$	235,300	7113
CAP-414	Postle Hall Roof Replacement	\$	2,332	7114
CAP-419	NMR Consortium	\$	75,116	7115
CAP-420	Versatile Film Facility	\$	70,894	7116
CAP-421	OCARNET	\$	5,916	7117
CAP-422	Bioprocessing Research	\$	181,298	7118
CAP-423	Localized Corrosion Research	\$	6,128	7119
CAP-424	ATM Testbed	\$	3,633	7120
CAP-425	Physical Sciences Building	\$	45,767,197	7121
CAP-426	Utilities Upgrade/Extension - Mansfield	\$	53,300	7122
CAP-427	Morrill Hall Remodeling - Vacated Library Space - Marion	\$	1,364,050	7123
CAP-428	Capital Equipment - OARDC	\$	17,155	7124
CAP-429	1314 Kinnear Road Center	\$	21,456	7125
CAP-430	Hagerty Hall Rehabilitation	\$	17,824,717	7126
CAP-431	Sisson Hall Replacement	\$	176,659	7127
CAP-433	Central Chilled Water Plant - OARDC	\$	13,912	7128
CAP-434	Ramseyer Hall Roof Renovations	\$	19,700	7129

CAP-436	Machinery Acoustics	\$	3,804	7130
CAP-439	Sensors and Measurements	\$	15,115	7131
CAP-440	Polymer Magnets	\$	1,099	7132
CAP-444	Larkins Hall HVAC System Upgrade	\$	15,816	7133
CAP-445	Starling Loving Hall A Wing - HVAC	\$	5,914	7134
CAP-446	ADA - Lecture Halls/Restrooms/Larkins	\$	196	7135
CAP-447	Elevator Upgrades - ADA	\$	12,201	7136
CAP-449	Bolz Hall Roof Replacement	\$	263,340	7137
CAP-450	Campus Grounds Exterior Lighting, Phase 5	\$	1,700	7138
CAP-453	Evans Lab Chiller Replacement	\$	14,615	7139
CAP-454	Utilities Upgrade Lighting Retrofit	\$	12,039	7140
CAP-458	A1 Alloy Corrosion	\$	14,292	7141
CAP-464	Main Library HVAC Renovations	\$	6,711	7142
CAP-465	Veterinary Hospital Chiller Replacement	\$	35,668	7143
CAP-466	ARPS Hall Chiller Replacement	\$	6,323	7144
CAP-468	Larkins Hall Window Replacements	\$	6,494	7145
CAP-471	Newton Hall Renovations	\$	2,134	7146
CAP-472	OSHA Safety Devices	\$	2,626	7147
CAP-476	Mount Hall Lecture Hall	\$	2,116	7148
CAP-478	Wiseman Hall Animal Facility	\$	12,980	7149
CAP-480	Campbell Hall Public Space	\$	104,210	7150
CAP-481	OSHA Ventilation - Bio Science	\$	9,162	7151
CAP-484	Page Hall Planning	\$	9,792,076	7152
CAP-485	Botany & Zoology Building Planning	\$	22,493,244	7153
CAP-488	Don Scott Field Replacement Barns	\$	24,889	7154
CAP-489	Galvin Hall 3rd Floor Renovation - Lima	\$	524,294	7155
CAP-491	Horticultural Operations Center - ATI	\$	1,560,000	7156
CAP-492	OARDC Feed Mill	\$	5,500,000	7157
CAP-496	1314 Kinnear Road Building Improvement	\$	335,319	7158
CAP-497	Book Depository	\$	10,454	7159
CAP-498	Curl Drive Mill & Overlay	\$	28,830	7160
CAP-500	Campus Buildings - Emergency Lighting	\$	5,242	7161
CAP-502	Drinko Hall Air Conditioning Upgrade	\$	12,644	7162

CAP-503	Evans Lab Roof Replacement	\$	297,063	7163
CAP-504	Fontana Lab - Chiller Replacement	\$	12,210	7164
CAP-505	Main Library HVAC Upgrade	\$	5,517	7165
CAP-506	Mirror Lake Hollow Renovation	\$	466,338	7166
CAP-507	Utilities High Voltage Electric	\$	216,544	7167
CAP-509	Mount Hall HVAC Modifications	\$	40,982	7168
CAP-510	Derby Hall Roof Replacement	\$	95,530	7169
CAP-511	Arps Hall Lab Renovation	\$	351,611	7170
CAP-512	Main Library Roof Replacement	\$	7,149	7171
CAP-513	Main Library Carpeting	\$	8,352	7172
CAP-514	Postle Hall Research Labs	\$	915,050	7173
CAP-516	Orton Hall Roof Replacement	\$	490,997	7174
CAP-517	Vet Hospital Roof Replacement	\$	42,983	7175
CAP-518	French Field House Glass Replacement	\$	57,625	7176
CAP-519	Ohio Biomedical Consortium on Medical Therapeutic Micro Devices	\$	1,279,019	7177
CAP-520	Plant and Microbe Functional Genomics Facilities	\$	19,634	7178
CAP-521	Ohio Center for Wetland & River Restoration	\$	1,180,000	7179
CAP-522	State of the Art Mass Spectrometry Consortium	\$	121,522	7180
CAP-523	Consortium for Novem Microfabrications Methods of Medical Devices in Non-Silicon Materials	\$	620,989	7181
CAP-524	Bone & Mineral Metabolism Research Lab	\$	24,525	7182
CAP-526	Koffolt/Fontana Roof Replacement	\$	378,948	7183
CAP-530	OSHA Fume Hood Monitors Phase I	\$	460,096	7184
CAP-531	Animal & Plant Biology Level 3	\$	200,000	7185
CAP-532	Food, AG, and Environmental Sciences	\$	1,500,000	7186
CAP-534	Main Library Rehabilitation	\$	1,701	7187
CAP-535	Psychology Building Thorne Hall and Gowley Hall Renovations, Phase 3	\$	3,000,000	7188

CAP-536	OARDC	\$	4,195,974	7189
CAP-537	Advanced Non Thermal Processing	\$	249,402	7190
CAP-538	OSU Gateway Parking Garage	\$	4,500,000	7191
CAP-539	Nanosecond Infrared Measurement	\$	2,588	7192
CAP-542	Propulsion Systems - Future Vehicles	\$	69,066	7193
CAP-544	Cockins Hall Math & Statistics	\$	726,745	7194
CAP-545	Hopkins Hall Ceramics Facility Renovation	\$	55,714	7195
	Phase I			
CAP-546	Nanometer Scale Auger Electron	\$	5,438	7196
CAP-548	MHZ Rate Flow Imaging System	\$	63,194	7197
CAP-549	Caldwell Asbestos Abatement	\$	200,337	7198
CAP-550	Millimeter/Submillimeter Instrument	\$	10,769	7199
CAP-551	Network Computing Testbed	\$	87,500	7200
CAP-552	X-Ray Powder Diffractometer	\$	4,670	7201
CAP-554	Deconvolution Microscope	\$	5,793	7202
CAP-555	Polar Rock Repository	\$	45,693	7203
CAP-556	Heart/Lung Inst Animal Facility	\$	442,855	7204
CAP-557	Pomerene Hall Renovation	\$	70,424	7205
CAP-558	Campus Lighting Phase VII	\$	20,072	7206
CAP-561	Campus Grounds Street Rebuild	\$	89,122	7207
CAP-563	Cleveland Botanical Gardens	\$	500,000	7208
CAP-564	Denney Hall Renovation Phase I	\$	157,179	7209
CAP-565	Ion Mass Spectrometry	\$	60,968	7210
CAP-566	Accelerated Maturation of Materials	\$	39,043	7211
CAP-568	Role of Molecular Interfaces	\$	60,304	7212
CAP-569	McCracken Steam Turbine Vibration	\$	274,000	7213
	Monitoring			
CAP-570	Celeste Laboratory HVAC Modifications	\$	734,000	7214
CAP-571	Electron and Ion Optical Characterization	\$	10,164	7215
	of Materials			
CAP-572	New Millimeter Spectrometer	\$	123,689	7216
CAP-573	Noncredit Job Training	\$	175,000	7217
CAP-574	Noncredit Job Training	\$	690,000	7218

CAP-575	Multi Object Double Spectrograph	\$	383,500	7219
CAP-576	1224 Kinnear Road - Bale	\$	536,227	7220
CAP-577	Non-Silicon Micromachining	\$	90,336	7221
CAP-578	High Performance Computing	\$	220,868	7222
CAP-579	Veterinary Hospital Auditorium Renovation	\$	492,800	7223
CAP-580	Bevis Hall Roof Replacement	\$	320,020	7224
CAP-581	Campus Grounds Neil Ave/Street Building	\$	458,500	7225
CAP-582	Hayes Hall Roof Replacement	\$	385,140	7226
CAP-583	Rightmirer Hall Roof Replacement	\$	412,650	7227
CAP-584	Starling-Loving Hall Renovation	\$	682,000	7228
CAP-585	Marion Campus - Student Services	\$	1,364,050	7229
CAP-586	Electroscience Lab Renovation	\$	731,500	7230
CAP-587	OARDC Boiler Replacement	\$	1,207,750	7231
CAP-588	Graves Hall Roof Replacement	\$	274,100	7232
CAP-589	Photoelectron Spectrometer	\$	150,000	7233
CAP-590	Supercomputer Center Expansion	\$	6,246,014	7234
CAP-591	Mansfield Parking Lot	\$	213,300	7235
	Resurfacing/Striping			
Total Ohio State University		\$	177,043,816	7236

BASIC RENOVATIONS 7237

The amount reappropriated for the foregoing appropriation 7238  
item CAP-074, Basic Renovations, is \$370,480 plus the unencumbered 7239  
and unallotted balance as of June 30, 2002, in appropriation item 7240  
CAP-074, Basic Renovations. 7241

EVANS LAB ADDITION 7242

The amount reappropriated for the foregoing appropriation 7243  
item CAP-216, Evans Lab Addition, is \$14,195 plus the unencumbered 7244  
and unallotted balance as of June 30, 2002, in appropriation item 7245  
CAP-216, Evans Lab Addition. 7246

HORTICULTURE/ENTOMOLOGY GREENHOUSE - OARDC 7247

The amount reappropriated for the foregoing appropriation 7248

item CAP-271, Horticulture/Entomology Greenhouse - OARDC, is 7249  
\$1,860 plus the unencumbered and unallotted balance as of June 30, 7250  
2002, in appropriation item CAP-271, Horticulture/Entomology 7251  
Greenhouse - OARDC. 7252

CENTER FOR AUTOMOTIVE RESEARCH 7253

The amount reappropriated for the foregoing appropriation 7254  
item CAP-334, Center for Automotive Research, is \$2,340 plus the 7255  
unencumbered and unallotted balance as of June 30, 2002, in 7256  
appropriation item CAP-334, Center or Automotive Research. 7257

MAINTENANCE, RECEIVING, AND STORAGE FACILITY - MARION 7258

The amount reappropriated for the foregoing appropriation 7259  
item CAP-361, Maintenance, Receiving, and Storage Facility - 7260  
Marion, is \$9,951 plus the unencumbered and unallotted balance as 7261  
of June 30, 2002, in appropriation item CAP-361, Maintenance, 7262  
Receiving, Storage - Marion. 7263

CAMPUS GROUNDS LIGHTS 7264

The amount reappropriated for the foregoing appropriation 7265  
item CAP-411, Campus Grounds-Lights Phase 4, is \$280 plus the 7266  
unencumbered and unallotted balance as of June 30, 2002, in 7267  
appropriation item CAP-411, Campus Grounds Lights. 7268

OCARNET 7269

The amount reappropriated for the foregoing appropriation 7270  
item CAP-421, OCARNET, is \$4,104 plus the unencumbered and 7271  
unallotted balance as of June 30, 2002, in appropriation item 7272  
CAP-421, OCARNET. 7273

BIOPROCESSING RESEARCH 7274

The amount reappropriated for the foregoing appropriation 7275  
item CAP-422, Bioprocessing Research, is \$13,677 plus the 7276  
unencumbered and unallotted balance as of June 30, 2002, in 7277  
appropriation item CAP-422, Bioprocessing Research. 7278

CAPITAL EQUIPMENT - OARDC 7279

The amount reappropriated for the foregoing appropriation 7280  
 item CAP-428, Capital Equipment - OARDC, is \$2,725 plus the 7281  
 unencumbered and unallotted balance as of June 30, 2002, in 7282  
 appropriation item CAP-428, Capital Equipment - OARDC. 7283

CAMPUS GROUNDS EXTERIOR LIGHTING 7284

The amount reappropriated for the foregoing appropriation 7285  
 item CAP-450, Campus Grounds Exterior Lighting, Phase 5, is \$1,700 7286  
 plus the unencumbered and unallotted balance as of June 30, 2002, 7287  
 in appropriation item CAP-450, Campus Grounds Exterior Lighting. 7288

FONTANA LAB - CHILLER REPLACEMENT 7289

The amount reappropriated for the foregoing appropriation 7290  
 item CAP-504, Fontana Lab - Chiller Replacement, is \$5,981 plus 7291  
 the unencumbered and unallotted balance as of June 30, 2002, in 7292  
 appropriation item CAP-504, Fontana Lab - Chiller Replacement. 7293

SUPERCOMPUTER CENTER EXPANSION 7294

The amount reappropriated for the foregoing appropriation 7295  
 item CAP-590, Supercomputer Center Expansion, is \$508,599 plus the 7296  
 unencumbered and unallotted balance as of June 30, 2002, in 7297  
 appropriation item CAP-590, Supercomputer Center Expansion. 7298

Reappropriations

**Section 24.20. OHU OHIO UNIVERSITY 7300**

CAP-020	Basic Renovations	\$	3,514,835	7301
CAP-021	Conservancy District Assessment	\$	16,126	7302
CAP-086	Memorial Auditorium Rehabilitation	\$	10,013	7303
CAP-094	Bentley Hall Renovation	\$	8,101	7304
CAP-095	Basic Renovations - Eastern	\$	328,397	7305
CAP-098	Basic Renovations - Lancaster	\$	221,427	7306
CAP-099	Basic Renovations - Zanesville	\$	170,703	7307
CAP-100	Bennett Hall Renovations	\$	6,577	7308

CAP-113	Basic Renovations - Chillicothe	\$	214,507	7309
CAP-114	Basic Renovations - Ironton	\$	170,592	7310
CAP-115	Bennett Hall HVAC/Lab - Chillicothe	\$	2,052,145	7311
CAP-116	Copeland Hall Rehabilitation	\$	6,396	7312
CAP-117	Porter Hall Rehabilitation	\$	121,193	7313
CAP-119	Biomedical Research Center	\$	115,175	7314
CAP-120	Ridges Auditorium Rehabilitation	\$	1,177	7315
CAP-122	Museum	\$	39,200	7316
CAP-129	Emergency Lighting Improvements	\$	3,524	7317
CAP-136	Gymnasium Development - Eastern	\$	137,116	7318
CAP-137	Classroom Building - Ironton	\$	11,471	7319
CAP-141	College of Health and Human Services	\$	67,429	7320
CAP-142	Health Professions Labs Phase I	\$	1,711,058	7321
CAP-145	Asbestos Abatement	\$	40,796	7322
CAP-148	RTVC Building Asbestos Abatement	\$	1,037	7323
CAP-149	Electrical Distribution System	\$	1,490	7324
CAP-152	Gordy Hall Addition and Rehabilitation	\$	22,175	7325
CAP-155	Brasee Hall Rehabilitation - Lancaster	\$	1,189,261	7326
CAP-156	Herrold Hall Renovation - Lancaster	\$	5,423	7327
CAP-157	ADA Modifications	\$	67,665	7328
CAP-160	ADA Modifications - Ironton	\$	9,113	7329
CAP-161	ADA Modifications - Lancaster	\$	20,345	7330
CAP-164	Southeast Library Warehouse	\$	15,369	7331
CAP-167	Scott Quadrangle Plumbing	\$	150	7332
CAP-169	Elevator Improvements Phase III	\$	25,345	7333
CAP-172	Elson Hall Rehabilitation - Zanesville	\$	187,200	7334
CAP-183	Central Classroom Building	\$	298,040	7335
CAP-184	Utilities to Scripps Hall	\$	211	7336
CAP-186	Ellis Hall Partial Renovation	\$	17,181	7337
CAP-188	Technology Center Construction - Ironton	\$	219,815	7338
CAP-189	Conference Center Planning - Lancaster	\$	510,000	7339
CAP-190	Center For Public Policy	\$	642,074	7340
CAP-191	District Water Cooling	\$	1,837,480	7341

CAP-192	Plant and Microbe Functional Genomics Facilities	\$	38,319	7342
CAP-199	Bently Hall Phase I	\$	65,645	7343
CAP-200	Building Acquisition/Renovation - Eastern	\$	398,269	7344
CAP-202	Putnam Hall Rehabilitation	\$	4,141,912	7345
CAP-203	Supplemental Renovations	\$	1,417,487	7346
CAP-204	Propulsion Systems	\$	10,671	7347
CAP-205	Noncredit Job Training	\$	810,000	7348
Total Ohio University		\$	20,919,635	7349

BASIC RENOVATIONS 7350

The amount reappropriated for the foregoing appropriation 7351  
item CAP-020, Basic Renovations, is \$22,905 plus the unencumbered 7352  
and unallotted balance as of June 30, 2002, in appropriation item 7353  
CAP-020, Basic Renovations. 7354

MEMORIAL AUDITORIUM REHABILITATION 7355

The amount reappropriated for the foregoing appropriation 7356  
item CAP-086, Memorial Auditorium Rehabilitation, is \$3,977 plus 7357  
the unencumbered and unallotted balance as of June 30, 2002, in 7358  
appropriation item CAP-086, Memorial Auditorium Rehabilitation. 7359

BASIC RENOVATIONS - LANCASTER 7360

The amount reappropriated for the foregoing appropriation 7361  
item CAP-098, Basic Renovations - Lancaster, is \$280 plus the 7362  
unencumbered and unallotted balance as of June 30, 2002, in 7363  
appropriation item CAP-098, Basic Renovations - Lancaster. 7364

BASIC RENOVATIONS - ZANESVILLE 7365

The amount reappropriated for the foregoing appropriation 7366  
item CAP-099, Basic Renovations - Zanesville, is \$1,013 plus the 7367  
unencumbered and unallotted balance as of June 30, 2002, in 7368  
appropriation item CAP-099, Basic Renovations - Zanesville. 7369

RIDGES AUDITORIUM REHABILITATION 7370

The amount reappropriated for the foregoing appropriation 7371  
item CAP-120, Ridges Auditorium Rehabilitation, is \$474 plus the 7372  
unencumbered and unallotted balance as of June 30, 2002, in 7373  
appropriation item CAP-120, Ridges Auditorium Rehabilitation. 7374

GYMNASIUM DEVELOPMENT - EASTERN 7375

The amount reappropriated for the foregoing appropriation 7376  
item CAP-136, Gymnasium Development - Eastern, is \$1,267 plus the 7377  
unencumbered and unallotted balance as of June 30, 2002, in 7378  
appropriation item CAP-136, Gymnasium Development - Eastern. 7379

HEALTH PROFESSIONS LABS - PHASE I 7380

The amount reappropriated for the foregoing appropriation 7381  
item CAP-142, Health Professions Labs Phase I, is \$22,115 plus the 7382  
unencumbered and unallotted balance as of June 30, 2002, in 7383  
appropriation item CAP-142, Health Professions Labs. 7384

BRASEE HALL REHABILITATION - LANCASTER 7385

The amount reappropriated for the foregoing appropriation 7386  
item CAP-155, Brasee Hall Rehabilitation - Lancaster, is \$1,000 7387  
plus the unencumbered and unallotted balance as of June 30, 2002, 7388  
in appropriation item CAP-155, Brasee Hall Rehabilitation - 7389  
Lancaster. 7390

CENTRAL CLASSROOM BUILDING 7391

The amount reappropriated for the foregoing appropriation 7392  
item CAP-183, Central Classroom Building, is \$7,414 plus the 7393  
unencumbered and unallotted balance as of June 30, 2002, in 7394  
appropriation item CAP-183, Central Classroom Building. 7395

UTILITIES TO SCRIPPS HALL 7396

The amount reappropriated for the foregoing appropriation 7397  
item CAP-184, Utilities to Scripps Hall, is \$211 plus the 7398  
unencumbered and unallotted balance as of June 30, 2002, in 7399  
appropriation item CAP-184, Utilities to Scripps Hall. 7400

ELLIS HALL PARTIAL RENOVATION 7401

The amount reappropriated for the foregoing appropriation 7402  
 item CAP-186, Ellis Hall Partial Renovation, is \$17,181 plus the 7403  
 unencumbered and unallotted balance as of June 30, 2002, in 7404  
 appropriation item CAP-186, Ellis Hall Partial Renovation. 7405

Reappropriations

**Section 24.21. SSC SHAWNEE STATE UNIVERSITY 7406**

CAP-004	Basic Renovations	\$	993,874	7407
CAP-008	Massie Hall Renovation	\$	65,905	7408
CAP-010	Land Acquisition	\$	287,117	7409
CAP-016	Library Building	\$	10,777	7410
CAP-017	Math/Science Building	\$	71,794	7411
CAP-029	Fine Arts Class and Lab Building	\$	108,704	7412
CAP-030	Utilities and Landscaping	\$	4,679	7413
CAP-037	ADA Modifications	\$	109,413	7414
CAP-038	Child Care Facility	\$	50,000	7415
CAP-039	Central Heating Plant Replacement	\$	8,137	7416
CAP-040	Chiller Replacement	\$	12,054	7417
CAP-041	Kricker Hall Renovation	\$	1,469,078	7418
CAP-042	Sidewalk/Plaza Replacement	\$	250,276	7419
CAP-043	Communication/Data Upgrade	\$	62,106	7420
CAP-044	Land Acquisition	\$	220,607	7421
CAP-045	Rehabilitation of Health Sciences Building Phase I	\$	716,974	7422
Total Shawnee State University		\$	4,441,495	7423

Reappropriations

**Section 24.22. UTO UNIVERSITY OF TOLEDO 7425**

CAP-007	University Hall Renovation	\$	298,418	7426
CAP-010	Basic Renovations	\$	2,571,395	7427
CAP-025	Roof Renovations	\$	55,404	7428
CAP-026	Road Improvements	\$	5,459	7429

CAP-062	Pharmacy, Chemistry and Life Sciences Facility	\$	4,340	7430
CAP-067	Asbestos Abatement	\$	27,429	7431
CAP-071	Southwest Academic Center Rehabilitation	\$	14,933	7432
CAP-073	ADA Modifications	\$	129,118	7433
CAP-076	Education & Allied Professions	\$	164,288	7434
CAP-077	Tribology	\$	341,261	7435
CAP-083	Bowman-Oddy Rehabilitation Phase 2	\$	277,995	7436
CAP-085	Engineering - Biomedical Lab Rehabilitation	\$	81,802	7437
CAP-091	Greenhouse Improvements	\$	11,675	7438
CAP-092	Plant and Microbe Functional Genomics Facilities	\$	164,597	7439
CAP-094	Plant Operations Renovation	\$	450,000	7440
CAP-095	Driscoll Center Renovations	\$	760	7441
CAP-096	Health & Human Services Rehabilitation Phase I	\$	16,395,833	7442
CAP-097	Libby Hall Rehabilitation	\$	1,962,138	7443
CAP-100	University Computer Center	\$	2,158,788	7444
CAP-103	Toledo Museum of Art Upgrade	\$	1,000,000	7445
CAP-105	Gillham Hall Rehabilitation	\$	140,000	7446
CAP-106	Bowman Oddy Rehabilitation	\$	2,762,191	7447
CAP-107	Larimer Athletic Complex	\$	640,526	7448
CAP-108	Roof Renovations/Scott Park	\$	1,399	7449
Total University of Toledo		\$	29,659,749	7450

Reappropriations

**Section 24.23. WSU WRIGHT STATE UNIVERSITY** 7452

CAP-015	Basic Renovations	\$	1,297,450	7453
CAP-064	Basic Renovations - Lake	\$	89,455	7454
CAP-070	Oelman Hall Rehabilitation	\$	16,104	7455
CAP-071	New Academic Building	\$	25,854	7456
CAP-072	Access Circulation	\$	1,831	7457

CAP-075	Aviation Heritage National Historical Park	\$	22,413	7458
CAP-080	Library Access Consolidation System	\$	6,067,385	7459
CAP-084	ADA Modifications	\$	5,913	7460
CAP-092	Allyn Hall Rehabilitation	\$	10,179	7461
CAP-093	Information Technology Center	\$	134,727	7462
CAP-094	Campus Services Building	\$	481	7463
CAP-095	Technology Infrastructure University	\$	5,211	7464
CAP-098	Center/Hamilton/Physical Education Chiller	\$	8,877	7465
CAP-102	Specialized Communication	\$	78,693	7466
CAP-103	Millett Hall Rehabilitation	\$	523,157	7467
CAP-104	Road and Parking Lot Improvements	\$	133,514	7468
CAP-105	Cross-Modal Analysis-Signl/Sensor	\$	300,000	7469
CAP-106	Air Force Musuem	\$	500,000	7470
CAP-109	High Performance Connection to VBNS	\$	175,000	7471
CAP-110	Student Union Marketplace	\$	524,887	7472
Total Wright State University		\$	9,921,128	7473

BASIC RENOVATIONS 7474

The amount reappropriated for the foregoing appropriation 7475  
item CAP-015, Basic Renovations, is \$33,910 plus the unencumbered 7476  
and unallotted balance as of June 30, 2002, in appropriation item 7477  
CAP-015, Basic Renovations. 7478

LIBRARY ACCESS CONSOLIDATION SYSTEM 7479

The amount reappropriated for the foregoing appropriation 7480  
item CAP-080, Library Access Consolidation System, is \$2,911 plus 7481  
the unencumbered and unallotted balance as of June 30, 2002, in 7482  
appropriation item CAP-080, Library Access Consolidation System. 7483

Reappropriations

**Section 24.24. YSU YOUNGSTOWN STATE UNIVERSITY** 7484

CAP-014	Basic Renovations	\$	2,042,939	7485
---------	-------------------	----	-----------	------

CAP-038	Roof Renovations	\$	560	7486
CAP-040	Bliss Hall Rehabilitation-Final Phase	\$	3,028,711	7487
CAP-062	Central Utility Plant Improvement	\$	270,277	7488
CAP-066	Asbestos Abatement	\$	48,574	7489
CAP-085	College of Education - Auditorium	\$	6,524	7490
CAP-086	Instructional and Data Processing Equipment	\$	1,287	7491
CAP-096	ADA Modifications	\$	4,052	7492
CAP-097	Child Care Facility	\$	5,949	7493
CAP-099	Todd Hall Renovations	\$	155,487	7494
CAP-104	Central Utility Plant	\$	1,089	7495
CAP-108	Electronic Campus Infrastructure/Technology	\$	1,235,709	7496
CAP-109	Welcome Center - Dana Hall Addition	\$	15,418	7497
CAP-112	Beeghly Center Rehabilitation	\$	2,283,293	7498
CAP-113	Campus Development	\$	553,091	7499
CAP-114	Chiller and Steamline Replacement Phase 3	\$	393,805	7500
CAP-116	Technology Incubator for Market Ready Applications	\$	1,000,000	7501
CAP-117	Ward Beecher/HVAC Ugrade	\$	1,388,863	7502
CAP-121	Administrative Technology Computer Systems Improvements	\$	1,500,000	7503
Total Youngstown State University		\$	13,935,628	7504

BLISS HALL REHABILITATING 7505

The amount reappropriated for the foregoing appropriation 7506  
item CAP-040, Bliss Hall Rehabilitation - Final Phase, is the sum 7507  
of the unencumbered and unallotted balances as of June 30, 2002, 7508  
in appropriation items CAP-040, Bliss Hall Rehabilitation, and 7509  
CAP-115, Fedor Hall Rehabilitation. 7510

CAMPUS DEVELOPMENT 7511

The amount reappropriated for the foregoing appropriation 7512  
item CAP-113, Campus Development, is the sum of the unencumbered 7513

and unallotted balances as of June 30, 2002, in appropriation	7514
items CAP-113, Campus Development, and CAP-027, Property	7515
Acquisitions/Street Closures.	7516

Reappropriations

<b>Section 24.25. NEM NORTHEASTERN OHIO UNIVERSITIES COLLEGE OF</b>		7517
MEDICINE		7518
CAP-018 Basic Renovations	\$ 421,451	7519
CAP-034 ADA Modifications	\$ 5,562	7520
CAP-036 Computer Services Networking	\$ 398	7521
CAP-037 Conference Center	\$ 27,647	7522
Rehabilitation/Expansion		
CAP-040 Campus Network Expansion	\$ 1,283,974	7523
CAP-041 Optimal Health Care	\$ 121,949	7524
CAP-042 Outdoor Athletic Facilities	\$ 119,542	7525
CAP-043 Bonding and Grounding	\$ 38,500	7526
CAP-044 Collaborative Research Building Envelope	\$ 378,764	7527
Total Northeastern Ohio Universities College of	\$ 2,397,787	7528
Medicine		

Reappropriations

<b>Section 24.26. MCO MEDICAL COLLEGE OF OHIO</b>		7530
CAP-010 Basic Renovations	\$ 281,384	7531
CAP-048 Medical Informatics Data Highway	\$ 2,118	7532
CAP-049 Center for Classrooms of the Future	\$ 1,503,225	7533
CAP-053 ADA Modifications	\$ 8,258	7534
CAP-062 Waterproofing	\$ 3,381	7535
CAP-072 Campus Substation Repairs	\$ 381,900	7536
CAP-073 Fire Alarm Project	\$ 142	7537
CAP-074 Mulford Library Roof	\$ 9,632	7538
CAP-075 Lab Animal Medicine/Renovation	\$ 7,539	7539
Total Medical College of Ohio	\$ 2,197,579	7540

Reappropriations

<b>Section 24.27. CWR UNIVERSITY HOSPITALS, CASE WESTERN RESERVE</b>			7542
UNIVERSITY			7543
CAP-005	NE Ohio Biomedical Research Consortium	\$ 33,750	7544
CAP-013	Memsnet	\$ 449,836	7545
CAP-016	Pharmacological Sciences	\$ 592,000	7546
CAP-022	Institutional Animal Resources	\$ 64,144	7547
CAP-024	600 MHZ Spectrometer	\$ 161,000	7548
CAP-025	Chemical Studies of Biomimetics	\$ 50,867	7549
CAP-026	Cardiovascular/Neural Engineering	\$ 144,000	7550
CAP-028	Ohio Biomedical Consortium on Medical Therapeutic Microdevices	\$ 11,002	7551
CAP-029	Consortium for Novem Microfabrication Methods of Medical Devices in Non-Silicon Materials	\$ 167,893	7552
CAP-031	Propulsion Systems	\$ 180,161	7553
CAP-032	Fire and Explosion Science Technology	\$ 208,883	7554
CAP-033	NMR Spectrometer	\$ 1,400,000	7555
CAP-034	Transmission Electron Microscope	\$ 225,000	7556
CAP-035	Near Field Optical Probe	\$ 145,000	7557
Total Case Western Reserve University			\$ 3,833,536 7558

Reappropriations

<b>Section 24.28. CTC CINCINNATI STATE TECHNICAL AND COMMUNITY</b>			7560
COLLEGE			7561
CAP-008	Interior Renovations	\$ 390,071	7562
CAP-013	Basic Renovations	\$ 1,142,126	7563
CAP-016	Health Professions Building Planning	\$ 4,044	7564
CAP-017	Instructional and Data Processing Equipment	\$ 431,851	7565
CAP-020	Aviation Facility	\$ 1,100	7566
CAP-026	Emergency Phones and Duct Smoke Detectors	\$ 217,876	7567

CAP-027	Floor Tiles and Ceiling Replacement	\$	320,884	7568
CAP-028	HVAC and AC Units	\$	17,264	7569
CAP-029	Masonry Repair and New Windows	\$	200,552	7570
CAP-030	Student Life/Education Building	\$	3,008,282	7571
CAP-031	Substation and Power Panels	\$	388,069	7572
Total Cincinnati State Community College		\$	6,122,119	7573

Reappropriations

**Section 24.29. CLT CLARK STATE COMMUNITY COLLEGE** 7575

CAP-006	Basic Renovations	\$	258,657	7576
CAP-029	Shull Hall Rehabilitation	\$	34,562	7577
CAP-034	ADA Modifications	\$	41,521	7578
Total Clark State Community College		\$	334,740	7579

Reappropriations

**Section 24.30. CTI COLUMBUS STATE COMMUNITY COLLEGE** 7581

CAP-006	Basic Renovations	\$	787,077	7582
CAP-007	Land Acquisition	\$	936,000	7583
CAP-027	Academic Center "B" Planning	\$	106,050	7584
CAP-028	Instructional and Data Processing Equipment	\$	836,612	7585
CAP-033	Child Care Facility	\$	89,510	7586
CAP-037	Academic Center "C"	\$	103,459	7587
CAP-040	Building "D" Planning	\$	5,069,660	7588
Total Columbus State Community College		\$	7,928,368	7589

Reappropriations

**Section 24.31. CCC CUYAHOGA COMMUNITY COLLEGE** 7591

CAP-031	Basic Renovations	\$	2,817,163	7592
CAP-033	Ohio College/Podiatric Medicine	\$	100,000	7593
CAP-057	Job Training Program Facility	\$	197,000	7594
CAP-058	ADA Modifications	\$	166,887	7595
CAP-064	Technology Learning Center - Western	\$	5,003,249	7596

CAP-066	Renovate/Create New Classrooms - West	\$	360,000	7597
CAP-070	Interior/Exterior Signage Program	\$	394,511	7598
CAP-073	Noncredit Job Training	\$	40,613	7599
CAP-078	Humanities Building Renovations - Metro	\$	64,206	7600
CAP-080	UTC Curtainwall Modifications	\$	73,646	7601
CAP-081	Interior Courtyards Renovations	\$	15,754	7602
CAP-082	Carpet Replacement - Western	\$	24,956	7603
Total Cuyahoga Community College		\$	9,257,986	7604

BASIC RENOVATIONS 7605

The amount reappropriated for the foregoing appropriation item 7606  
 CAP-031, Basic Renovations, is the sum of the unencumbered and 7607  
 unallotted balances as of June 30, 2002, in appropriation items 7608  
 CAP-031, Basic Renovations; CAP-028, Adult Technical Education 7609  
 Facility; CAP-049, Exterior Building Renovations - Metro/East; 7610  
 CAP-052, S & T Asbestos Abatement - Metro; CAP-054, Ceiling 7611  
 Renovation/Damper Replacement - West; CAP-059, Electric 7612  
 Switchgear/Transformer - Metro; CAP-065, Exterior Lighting/Site 7613  
 Improvement - Eastern; CAP-067, Plant Ops/Vehicle Maint/Storage - 7614  
 Phase I; and CAP-072, Exterior Lighting Enhancements. 7615

Reappropriations

**Section 24.32. ESC EDISON STATE COMMUNITY COLLEGE** 7616

CAP-006	Basic Renovations	\$	376,465	7617
CAP-011	Roadway Construction	\$	16,696	7618
CAP-014	Student Activities Area	\$	19,312	7619
CAP-018	Master Plan Update	\$	1,220	7620
CAP-019	Plastics Industry Noncredit Training	\$	35,225	7621
CAP-020	Noncredit Job Training	\$	275,000	7622
Total Edison State Community College		\$	723,918	7623

Reappropriations

**Section 24.33. JTC JEFFERSON COMMUNITY COLLEGE** 7625

CAP-022	Basic Renovations	\$	388,061	7626
---------	-------------------	----	---------	------

CAP-031	Law Enforcement/Engineering Lab Renovations	\$	56,172	7627
CAP-033	ADA Modifications	\$	19,598	7628
CAP-035	Exterior Improvements and Preschool Expansion	\$	24,120	7629
CAP-037	Electrical System Evaluation/Renovation	\$	382,820	7630
CAP-038	Library Interior Renovation	\$	259,020	7631
CAP-039	Lecture Hall Interior Renovation	\$	175,325	7632
CAP-040	Noncredit Job Training	\$	725,000	7633
Total Jefferson Community College		\$	2,030,116	7634

Reappropriations

**Section 24.34. LCC LAKELAND COMMUNITY COLLEGE** 7636

CAP-006	Basic Renovations	\$	891,946	7637
CAP-019	Health Technologies Building Planning	\$	2,030	7638
CAP-021	Performing Arts Center Renovations	\$	1,062	7639
CAP-022	Library Expansion	\$	7,895	7640
CAP-026	Auditorium Renovation	\$	1,805	7641
CAP-036	Noncredit Job Training	\$	850,000	7642
Total Lakeland Community College		\$	1,754,738	7643

Reappropriations

**Section 24.35. LOR LORAIN COMMUNITY COLLEGE** 7645

CAP-005	Basic Renovations	\$	466,182	7646
Total Lorain Community College		\$	466,182	7647

Reappropriations

**Section 24.36. NTC NORTHWEST STATE COMMUNITY COLLEGE** 7649

CAP-003	Basic Renovations	\$	65,000	7650
CAP-006	Child Care Facility	\$	10,000	7651
CAP-013	Classroom & Engineering Build	\$	75,917	7652
CAP-014	ADA Modifications	\$	11,042	7653
CAP-015	A-Wing Supplemental/Distance Learning	\$	3,390	7654

Total Northwest State Community College \$ 165,349 7655

Reappropriations

**Section 24.37. OTC OWENS COMMUNITY COLLEGE** 7657

CAP-019 Basic Renovations \$ 1,058,932 7658

CAP-032 Student Health and Activities Center \$ 74,945 7659

CAP-034 Center for Fine and Performing Arts -  
Construction \$ 7,847,442 7660

CAP-035 Findlay Campus Relocation \$ 2,000,000 7661

Total Owens Community College \$ 10,981,319 7662

Reappropriations

**Section 24.38. RGC RIO GRANDE COMMUNITY COLLEGE** 7664

CAP-005 Basic Renovations \$ 267,301 7665

CAP-013 College of Business \$ 7,392 7666

CAP-015 ADA Modifications \$ 75,446 7667

CAP-021 New Entrance Road \$ 34,166 7668

Total Rio Grande Community College \$ 384,305 7669

Reappropriations

**Section 24.39. SCC SINCLAIR COMMUNITY COLLEGE** 7671

CAP-007 Basic Renovations \$ 1,118,239 7672

CAP-033 Telecommunication Infrastructure \$ 87,197 7673

CAP-034 Advanced Educational Applications Center  
Phase I \$ 40,000 7674

CAP-036 Advanced Integrated Manufacturing Center \$ 576,286 7675

CAP-042 Autolab/Fire Science Facility \$ 45,000 7676

Total Sinclair Community College \$ 1,866,722 7677

Reappropriations

**Section 24.40. SOC SOUTHERN STATE COMMUNITY COLLEGE** 7679

CAP-010 Basic Renovations \$ 347,997 7680

CAP-022 Clinton County Facility \$ 97,056 7681

CAP-024	Noncredit Job Training	\$	300,000	7682
Total Southern State Community College		\$	745,053	7683

Reappropriations

<b>Section 24.41. TTC TERRA STATE COMMUNITY COLLEGE</b>				7685
CAP-009	Basic Renovations	\$	29,947	7686
CAP-015	Child Care Facility	\$	166,148	7687
Total Terra State Community College		\$	196,095	7688

Reappropriations

<b>Section 24.42. WTC WASHINGTON STATE COMMUNITY COLLEGE</b>				7690
CAP-009	Instructional and Data Processing Equipment	\$	129,558	7691
CAP-012	ADA Modifications	\$	14,575	7692
CAP-013	Child Care Facility	\$	250,235	7693
CAP-016	Noncredit Job Training	\$	875,000	7694
Total Washington State Community College		\$	1,269,368	7695

Reappropriations

<b>Section 24.43. BTC BELMONT TECHNICAL COLLEGE</b>				7697
CAP-008	Basic Renovations	\$	653,372	7698
CAP-014	Main Building Renovation - Phase 3	\$	49,137	7699
CAP-019	ADA Modifications	\$	45,915	7700
Total Belmont Technical College		\$	748,424	7701

Reappropriations

<b>Section 24.44. COT CENTRAL OHIO TECHNICAL COLLEGE</b>				7703
CAP-003	Basic Renovations	\$	225,582	7704
Total Central Ohio Technical College		\$	225,582	7705

Reappropriations

<b>Section 24.45. HTC HOCKING TECHNICAL COLLEGE</b>				7707
CAP-019	Basic Renovations	\$	418,569	7708

CAP-024	Building Addition	\$	5,270	7709
CAP-028	College Hall Rehabilitation	\$	3,769	7710
CAP-032	Public Safety Service	\$	74,644	7711
CAP-033	Light and Oakley Halls	\$	47,751	7712
Total Hocking Technical College		\$	550,003	7713

Reappropriations

**Section 24.46. LTC LIMA TECHNICAL COLLEGE** 7715

CAP-004	Basic Renovations	\$	582,991	7716
CAP-006	Building Renovations	\$	5,000	7717
CAP-007	Training and Education Facility	\$	66,332	7718
CAP-008	Instructional and Data Processing Equipment	\$	168,041	7719
CAP-009	Life and Physical Sciences	\$	10,133	7720
CAP-010	ADA Modifications	\$	53,143	7721
Total Lima Technical College		\$	885,640	7722

Reappropriations

**Section 24.47. MAT MUSKINGUM AREA TECHNICAL COLLEGE** 7724

CAP-007	Basic Renovations	\$	213,276	7725
CAP-017	Basic Capacity Grant	\$	1,410	7726
Total Muskingum Area Technical College		\$	214,686	7727

**BASIC RENOVATIONS** 7728

The amount reappropriated for the foregoing appropriation 7729  
item CAP-007, Basic Renovations, is \$4,780 plus the unencumbered 7730  
and unallotted balance as of June 30, 2002, in appropriation item 7731  
CAP-007, Basic Renovations. 7732

Reappropriations

**Section 24.48. MTC MARION TECHNICAL COLLEGE** 7733

CAP-004	Basic Renovations	\$	25,790	7734
Total Marion Technical College		\$	25,790	7735

Reappropriations

<b>Section 24.49. NCC NORTH CENTRAL TECHNICAL COLLEGE</b>			7737
CAP-003	Basic Renovations	\$ 602,467	7738
CAP-008	Ovalwood Hall Rehabilitation	\$ 9,897	7739
CAP-009	ADA Modifications	\$ 25,000	7740
CAP-012	Shelby Training Center	\$ 1,388,872	7741
CAP-013	Engineering Center Renovation	\$ 300,000	7742
CAP-018	Fallerius Center Rehabilitation	\$ 919,090	7743
Total North Central Technical College			7744

FALLERIUS CENTER REHABILITATION 7745

The amount reappropriated for the foregoing appropriation 7746  
 item CAP-018, Fallerius Center Rehabilitation, is \$95,000 plus the 7747  
 unencumbered and unallotted balance as of June 30, 2002, in 7748  
 appropriation item CAP-018, Fallerius Center Rehabilitation. 7749

Reappropriations

<b>Section 24.50. STC STARK TECHNICAL COLLEGE</b>			7750
CAP-004	Basic Renovations	\$ 571,822	7751
CAP-015	Loop Road Property	\$ 229,701	7752
Acquisition/Development			
CAP-024	Phase 2 Renovations	\$ 252	7753
CAP-027	Information Technology Learning Center	\$ 4,540,243	7754
CAP-028	Northside Development Parking Lot	\$ 73,576	7755
CAP-029	Fire Science Phase III Classroom	\$ 13,166	7756
Total Stark Technical College			7757
TOTAL HIGHER EDUCATION IMPROVEMENT FUND			7758

**Section 24.51.** The foregoing capital improvements for which 7760  
 appropriations are made from the Higher Education Improvement Fund 7761  
 (Fund 034) are determined to be capital improvements and capital 7762  
 facilities for state-supported or state-assisted institutions of 7763  
 higher education and are designated as the capital facilities to 7764

which proceeds of obligations in the Higher Education Improvement 7765  
Fund, created by section 154.21 of the Revised Code, are to be 7766  
applied. 7767

**Section 24.52.** For all of the foregoing appropriation items 7768  
from the Higher Education Improvement Fund (Fund 034) that require 7769  
local funds to be contributed by any state-supported or 7770  
state-assisted institution of higher education, the Board of 7771  
Regents shall not recommend that any funds be released until the 7772  
recipient institution demonstrates to the Board of Regents and the 7773  
Office of Budget and Management that the local funds contribution 7774  
requirement has been secured or satisfied. The local funds shall 7775  
be in addition to the foregoing appropriations. 7776

**Section 24.53.** None of the foregoing capital improvements 7777  
appropriations for state-supported or state-assisted institutions 7778  
of higher education shall be expended until the particular 7779  
appropriation has been recommended for release by the Board of 7780  
Regents and released by the Director of Budget and Management or 7781  
the Controlling Board. Either the institution concerned, or the 7782  
Board of Regents with the concurrence of the institution 7783  
concerned, may initiate the request to the Director of Budget and 7784  
Management or the Controlling Board for the release of the 7785  
particular appropriations. 7786

**Section 24.54.** (A) No capital improvement appropriations made 7787  
in Sections 24.02 to 24.56 of this act shall be released for 7788  
planning or for improvement, renovation, construction, or 7789  
acquisition of capital facilities if the institution of higher 7790  
education or the state does not own the real property on which the 7791  
capital facilities are or will be located. This restriction does 7792  
not apply in any of the following circumstances: 7793

(1) The institution has a long-term (at least fifteen years) 7794  
lease of, or other interest (such as an easement) in, the real 7795  
property. 7796

(2) The Board of Regents certifies to the Controlling Board 7797  
that undue delay will occur if planning does not proceed while the 7798  
property or property interest acquisition process continues. In 7799  
this case, funds may be released upon approval of the Controlling 7800  
Board to pay for planning through the development of schematic 7801  
drawings only. 7802

(3) In the case of an appropriation for capital facilities 7803  
that, because of their unique nature or location, will be owned or 7804  
will be part of facilities owned by a separate nonprofit 7805  
organization or public body and will be made available to the 7806  
institution of higher education for its use, the nonprofit 7807  
organization or public body either owns or has a long-term (at 7808  
least fifteen years) lease of the real property or other capital 7809  
facility to be improved, renovated, constructed, or acquired and 7810  
has entered into a joint or cooperative use agreement, approved by 7811  
the Board of Regents, with the institution of higher education 7812  
that meets the requirements of division (C) of this section. 7813

(B) Any foregoing appropriations which require cooperation 7814  
between a technical college and a branch campus of a university 7815  
may be released by the Controlling Board upon recommendation by 7816  
the Board of Regents that the facilities proposed by the 7817  
institutions are: 7818

(1) The result of a joint planning effort by the university 7819  
and the technical college, satisfactory to the Board of Regents; 7820

(2) Facilities that will meet the needs of the region in 7821  
terms of technical and general education, taking into 7822  
consideration the totality of facilities which will be available 7823  
after the completion of these projects; 7824

(3) Planned to permit maximum joint use by the university and technical college of the totality of facilities which will be available upon their completion;

(4) To be located on or adjacent to the branch campus of the university.

(C) The Board of Regents shall adopt rules regarding the release of moneys from all the foregoing appropriations for capital facilities for all state-supported or state-assisted institutions of higher education. In the case of capital facilities referred to in division (A)(3) of this section, the joint or cooperative use agreements shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the Board of Regents, reasonably related to the amount of the appropriations;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use be terminated;

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state laws and rules, including provisions of this act;

(4) Provide for payment or reimbursement to the institution of its administrative costs incurred as a result of the facilities project, not to exceed 1.5 per cent of the appropriated amount.

(D) Upon the recommendation of the Board of Regents, the Controlling Board may approve the transfer of appropriations for projects requiring cooperation between institutions from one institution to another institution, with the approval of both institutions.

(E) Notwithstanding section 127.14 of the Revised Code, the Controlling Board, upon the recommendation of the Board of Regents, may transfer amounts appropriated to the Board of Regents to accounts of state-supported or state-assisted institutions created for that same purpose.

**Section 24.55.** The requirements of Chapters 123. and 153. of the Revised Code, with respect to the powers and duties of the Director of Administrative Services in the procedure for and award of contracts for capital improvement projects, and the requirements of section 127.16 of the Revised Code, with respect to the Controlling Board, do not apply to projects of community college districts and technical college districts.

**Section 24.56.** Those institutions locally administering capital improvement projects pursuant to section 3345.50 of the Revised Code may:

(A) Establish charges for recovering costs directly related to project administration as defined by the Director of Administrative Services. The Department of Administrative Services shall review and approve these administrative charges when such charges are in excess of 1.5 per cent of the total construction budget.

(B) Seek reimbursement from state capital appropriations to the institution for the in-house design services performed by the institution for such capital projects. Acceptable charges shall be limited to design document preparation work that is done by the institution. These reimbursable design costs shall be shown as "A/E fees" within the project's budget that is submitted to the Controlling Board or the Director of Budget and Management as part of a request for release of funds. The reimbursement for in-house design may not exceed seven per cent of the estimated construction

cost. 7885

**Section 25.** All items set forth in this section are hereby 7886  
appropriated out of any moneys in the state treasury to the credit 7887  
of the Parks and Recreation Improvement Fund (Fund 035) and 7888  
derived from the proceeds of obligations heretofore authorized to 7889  
pay costs of capital facilities, as defined in section 154.01 of 7890  
the Revised Code, for parks and recreation. 7891

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES 7892

CAP-005	Cowan Lake State Park	\$	51,964	7893
CAP-011	Findley State Park	\$	22,856	7894
CAP-012	Land Acquisition	\$	586,825	7895
CAP-016	Hueston Woods State Park	\$	4,467	7896
CAP-017	Indian Lake State Park	\$	5,288	7897
CAP-019	Lake Hope State Park	\$	500	7898
CAP-025	Punderson State Park	\$	7,763	7899
CAP-026	Pymatuning State Park	\$	80,000	7900
CAP-051	Buck Creek State Park	\$	3,050	7901
CAP-064	Geneva State Park	\$	750	7902
CAP-069	Hocking Hills State Park	\$	400	7903
CAP-113	East Harbor State Park Shoreline Stabilization	\$	850,000	7904
CAP-162	Shawnee State Park	\$	750	7905
CAP-205	Deer Creek State Park	\$	18,800	7906
CAP-234	State Parks Campgrounds, Lodges, and Cabins	\$	12,564,460	7907
CAP-331	Park Boating Facilities	\$	1,061,800	7908
CAP-390	State Park Maintenance Facility Development	\$	488,801	7909
CAP-701	Buckeye Lake Dam Rehabilitation	\$	1,033,254	7910
CAP-702	Upgrade Underground Storage Tanks	\$	1,933,783	7911
CAP-703	Cap Abandoned Water Wells	\$	250,000	7912

CAP-718	Grand Lake St. Mary's State Park	\$	157,532	7913
CAP-719	Indian Lake State Park	\$	11,945	7914
CAP-727	Riverfront Improvements	\$	1,000,000	7915
CAP-744	Multi-Agency Radio Communication Equipment	\$	425,000	7916
CAP-748	Local Parks Projects	\$	1,572,000	7917
CAP-787	Scioto Riverfront Improvements	\$	7,750,000	7918
CAP-789	Great Miami Riverfront Improvements	\$	2,000,000	7919
CAP-821	State Park Dredging and Shoreline Protection	\$	300,000	7920
CAP-827	Cuyahoga Valley Scenic Railroad	\$	3,716,666	7921
CAP-836	State Parks Renovation/Upgrading	\$	350	7922
CAP-876	Statewide Trails Program	\$	1,272,680	7923
CAP-910	Scioto Peninsula Property Acquisition	\$	4,750,000	7924
CAP-927	Mohican State Park	\$	50,571	7925
CAP-928	Handicapped Accessibility	\$	498,089	7926
CAP-929	Hazardous Waste/Asbestos Abatement	\$	785,978	7927
CAP-931	Wastewater/Water Systems Upgrade	\$	3,507,391	7928
Total Department of Natural Resources		\$	46,703,443	7929
Total Parks and Recreation Improvement Fund		\$	46,703,443	7930

LOCAL PARKS PROJECTS 7931

The following projects shall be funded from the foregoing 7932  
reappropriation item CAP-748, Local Parks Projects: \$500,000 for 7933  
Erie Metro Parks Land Acquisition; \$40,000 for Grove City Fryer 7934  
Park Improvements; \$12,500 for Big Prairie/Lakeville Park 7935  
Improvements; \$25,000 for Holmes County Park Improvements; \$25,000 7936  
for Stockport Village Park Improvements; \$50,000 for Silver Park 7937  
Improvements, \$6,500 for Crossroads Park Improvements; \$38,000 for 7938  
Wauseon Park Land Acquisition; \$150,000 for Black Swamp Land 7939  
Acquisition; \$75,000 for the Walbridge Parks Improvements; and 7940  
\$100,000 by the West Creek Preservation Committee for a West Creek 7941  
Watershed Project. 7942

SCIOTO RIVERFRONT IMPROVEMENTS 7943

Of the foregoing reappropriation item CAP-787, Scioto 7944  
Riverfront Improvements, \$7,750,000 shall be used for Spring and 7945  
Long Park. 7946

STATEWIDE TRAILS PROGRAM 7947

Of the foregoing reappropriation item CAP-876, Statewide 7948  
Trails Program, \$50,000 shall be used for the Lake to River 7949  
Greenway Bike Path in Trumbull County. 7950

FEDERAL REIMBURSEMENT 7951

All reimbursements received from the federal government for 7952  
any expenditures made pursuant to this section shall be deposited 7953  
in the state treasury to the credit of the Parks and Recreation 7954  
Improvement Fund. 7955

**Section 25.01.** The foregoing capital improvements for which 7956  
appropriations are made from the Parks and Recreation Improvement 7957  
Fund (Fund 035) are determined to be capital improvements and 7958  
capital facilities for parks and recreation and are designated as 7959  
the capital facilities to which proceeds of obligations in the 7960  
Parks and Recreation Improvement Fund, created by section 154.22 7961  
of the Revised Code, are to be applied. 7962

**Section 25.02.** (A) No capital improvement appropriations made 7963  
in Section 25 of this act shall be released for planning or for 7964  
improvement, renovation, construction, or acquisition of capital 7965  
facilities if a governmental agency, as defined in section 154.01 7966  
of the Revised Code, does not own the real property that 7967  
constitutes the capital facilities or on which the capital 7968  
facilities are or will be located. This restriction does not apply 7969  
in any of the following circumstances: 7970

(1) The governmental agency has a long-term (at least fifteen 7971

years) lease of, or other interest (such as an easement) in, the real property. 7972  
7973

(2) In the case of an appropriation for capital facilities for parks and recreation that, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made available to the governmental agency for its use or operated by the nonprofit organization under contract with the governmental agency, the nonprofit organization either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement, approved by the Department of Natural Resources, with the governmental agency for that agency's use of and right to use the capital facilities to be financed and, if applicable, improved, the value of such use or right to use being, as determined by the parties, reasonably related to the amount of the appropriation. 7974  
7975  
7976  
7977  
7978  
7979  
7980  
7981  
7982  
7983  
7984  
7985  
7986  
7987  
7988

(B) In the case of capital facilities referred to in division (A)(2) of this section, the joint or cooperative use agreement shall include, as a minimum, provisions that: 7989  
7990  
7991

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the applicable department, reasonably related to the amount of the appropriation; 7992  
7993  
7994  
7995  
7996

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use by a governmental agency be terminated; and 7997  
7998  
7999

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state laws and rules, including provisions of this act. 8000  
8001  
8002

**Section 26.** All items set forth in this section are hereby 8003  
appropriated out of any moneys in the state treasury to the credit 8004  
of the State Capital Improvements Fund (Fund 038) and derived from 8005  
the proceeds of obligations heretofore authorized to pay costs of 8006  
capital facilities, as defined in sections 151.01 and 151.08 of 8007  
the Revised Code, for local infrastructure purposes. 8008

Reappropriations

PWC PUBLIC WORKS COMMISSION 8009

Ohio Small Government Capital Improvement Commission 8010

CAP-150	Local Public Infrastructure	\$	3,994,256	8011
CIF-000	Small Government Set-Aside	\$	26,789,013	8012
CIF-001	Infrastructure - District 1	\$	35,569,892	8013
CIF-002	Infrastructure - District 2	\$	15,324,089	8014
CIF-003	Infrastructure - District 3	\$	24,805,971	8015
CIF-004	Infrastructure - District 4	\$	10,621,103	8016
CIF-005	Infrastructure - District 5	\$	8,218,221	8017
CIF-006	Infrastructure - District 6	\$	9,204,592	8018
CIF-007	Infrastructure - District 7	\$	10,283,773	8019
CIF-008	Infrastructure - District 8	\$	13,535,698	8020
CIF-009	Infrastructure - District 9	\$	6,000,899	8021
CIF-010	Infrastructure - District 10	\$	12,042,490	8022
CIF-011	Infrastructure - District 11	\$	9,906,889	8023
CIF-012	Infrastructure - District 12	\$	10,652,811	8024
CIF-013	Infrastructure - District 13	\$	5,952,230	8025
CIF-014	Infrastructure - District 14	\$	5,961,097	8026
CIF-015	Infrastructure - District 15	\$	6,049,668	8027
CIF-016	Infrastructure - District 16	\$	9,688,174	8028
CIF-017	Infrastructure - District 17	\$	7,223,526	8029
CIF-018	Infrastructure - District 18	\$	6,625,576	8030
CIF-019	Infrastructure - District 19	\$	8,099,039	8031
CIF-020	Emergency Set-Aside	\$	5,783,488	8032
CIF-021	Small Counties Program	\$	1,030,678	8033

Total Public Works Commission	\$ 253,363,173	8034
TOTAL State Capital Improvement Fund	\$ 253,363,173	8035

The appropriations in this section shall be used in 8036  
accordance with sections 164.01 to 164.12 of the Revised Code. All 8037  
expenditures made from these appropriations shall be approved by 8038  
the Director of the Public Works Commission. The Director of the 8039  
Public Works Commission shall not allocate funds in amounts 8040  
greater than those amounts appropriated by the General Assembly. 8041

**Section 27.** All items set forth in this section are hereby 8042  
appropriated out of any moneys in the state treasury to the credit 8043  
of the State Capital Improvements Revolving Loan Fund (Fund 040) 8044  
and derived from repayments of loans made to local subdivisions 8045  
for capital improvements, investment earnings on moneys in the 8046  
fund, and moneys obtained from federal or private grants or from 8047  
other sources for the purpose of making loans for the purpose of 8048  
financing or assisting in the financing of the cost of capital 8049  
improvement projects of local subdivisions. 8050

Reappropriations

PWC PUBLIC WORKS COMMISSION			8051
CAP-151	Revolving Loan	\$ 7,507,533	8052
RLF-001	Revolving Loan-District 1	\$ 3,737,260	8053
RLF-002	Revolving Loan-District 2	\$ 3,164,996	8054
RLF-003	Revolving Loan-District 3	\$ 3,499,709	8055
RLF-004	Revolving Loan-District 4	\$ 1,845,304	8056
RLF-005	Revolving Loan-District 5	\$ 1,252,918	8057
RLF-006	Revolving Loan-District 6	\$ 2,024,132	8058
RLF-007	Revolving Loan-District 7	\$ 2,135,221	8059
RLF-008	Revolving Loan-District 8	\$ 1,624,699	8060
RLF-009	Revolving Loan-District 9	\$ 1,133,758	8061
RLF-010	Revolving Loan-District 10	\$ 2,762,493	8062
RLF-011	Revolving Loan-District 11	\$ 1,903,666	8063
RLF-012	Revolving Loan-District 12	\$ 3,742,013	8064

RLF-013	Revolving Loan-District 13	\$	1,623,191	8065
RLF-014	Revolving Loan-District 14	\$	1,309,761	8066
RLF-015	Revolving Loan-District 15	\$	861,761	8067
RLF-016	Revolving Loan-District 16	\$	2,430,305	8068
RLF-017	Revolving Loan-District 17	\$	1,471,503	8069
RLF-018	Revolving Loan-District 18	\$	1,220,419	8070
RLF-019	Revolving Loan-District 19	\$	1,438,605	8071
RLF-020	Small Government Program	\$	969,234	8072
RLF-021	Emergency Program	\$	125,650	8073
	Total Public Works Commission	\$	47,784,131	8074
	TOTAL State Capital Improvements			8075
	Revolving Loan Fund	\$	47,784,131	8076

The appropriations in this section shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. All expenditures made from these appropriations shall be approved by the Director of the Public Works Commission. The Director of the Public Works Commission shall not allocate funds in amounts greater than those amounts appropriated by the General Assembly.

**Section 28.** All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Clean Ohio Conservation Fund (Fund 056) and derived from the proceeds of obligations heretofore authorized to pay the costs of capital facilities or projects, as defined in sections 151.01 and 151.09 of the Revised Code, for conservation purposes:

Reappropriations

	PWC PUBLIC WORKS COMMISSION			8089
CAP-152	Clean Ohio Conservation	\$	37,500,000	8090
	Total Public Works Commission	\$	37,500,000	8091
	TOTAL Clean Ohio Conservation Fund	\$	37,500,000	8092

**Section 29.** All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit

of the Clean Ohio Agricultural Easement Fund (Fund 057) and 8096  
derived from the proceeds of obligations heretofore authorized to 8097  
pay the costs of capital facilities or projects, as defined in 8098  
sections 151.01 and 151.09 of the Revised Code, for conservation 8099  
purposes: 8100

Reappropriations

AGR DEPARTMENT OF AGRICULTURE 8101

CAP-047	Clean Ohio Agricultural Easement	\$	6,250,000	8102
	Total Department of Agriculture	\$	6,250,000	8103
	TOTAL Clean Ohio Agricultural Easement Fund	\$	6,250,000	8104

AGRICULTURAL EASEMENT PURCHASE 8105

The foregoing appropriation item CAP-047, Clean Ohio 8106  
Agricultural Easement Fund, shall be used in accordance with 8107  
sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised 8108  
Code. 8109

**Section 30.** All items set forth in this section are hereby 8110  
appropriated out of any moneys in the state treasury to the credit 8111  
of the Clean Ohio Trail Fund (Fund 061) and derived from the 8112  
proceeds of obligations heretofore authorized to pay the costs of 8113  
capital facilities or projects, as defined in sections 151.01 and 8114  
151.09 of the Revised Code, for conservation purposes: 8115

DNR DEPARTMENT OF NATURAL RESOURCES 8116

Reappropriations

CAP-014	Clean Trail Ohio	\$	6,250,000	8117
	Total Department of Natural Resources	\$	6,250,000	8118
	TOTAL Clean Ohio Trail Fund	\$	6,250,000	8119

**Section 31.** All items set forth in this section are hereby 8121  
appropriated out of any moneys in the state treasury to the credit 8122  
of the Administrative Building Fund (Fund 026) and derived from 8123  
the proceeds of obligations heretofore authorized to pay the costs 8124

of capital facilities, as defined in section 152.09 of the Revised Code, for the following capital improvements:

	Appropriations	
OVH VETERANS' HOME		8127
CAP-759 Veterans' Home Construction	\$ 1,377,000	8128
Total Ohio Veterans' Home Construction	\$ 1,377,000	8129

**Section 32.** All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the State Capital Improvements Fund (Fund 038) and derived from the proceeds of obligations heretofore and herein authorized to pay costs of capital facilities as defined in sections 151.01 and 151.08 of the Revised Code for local infrastructure purposes.

	Appropriations	
PWC PUBLIC WORKS COMMISSION		8137
CAP-150 Local Public Infrastructure	\$ 252,000,000	8138
Total Public Works Commission	\$ 252,000,000	8139
TOTAL State Capital Improvements Fund	\$ 252,000,000	8140

The foregoing appropriation item CAP-150, Local Public Infrastructure, shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. The Director of the Public Works Commission may certify to the Director of Budget and Management that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. If the Director of Budget and Management determines pursuant to division (D) of section 164.08 and section 164.12 of the Revised Code that investment earnings are available to support additional appropriations, such amounts are hereby appropriated.

**Section 33.** The Treasurer of State is hereby authorized pursuant to section 164.09 of the Revised Code to issue and sell, in accordance with Section 2m of Article VIII, Ohio Constitution,

and sections 164.01 to 164.12 of the Revised Code, original 8154  
obligations of the State of Ohio, in an aggregate principal amount 8155  
not to exceed \$240,000,000, in addition to the original 8156  
obligations heretofore authorized by prior acts of the General 8157  
Assembly. These authorized obligations shall be issued and sold 8158  
from time to time and in amounts necessary to ensure sufficient 8159  
moneys to the credit of the State Capital Improvements Fund (Fund 8160  
038) to pay costs charged to that fund, as estimated by the 8161  
Director of Budget and Management. 8162

**Section 34.** All items set forth in this section are hereby 8163  
appropriated out of any moneys in the state treasury to the credit 8164  
of the State Capital Improvements Revolving Loan Fund (Fund 040). 8165  
Revenues to the State Capital Improvements Revolving Loan Fund 8166  
shall consist of all repayments of loans made to local 8167  
subdivisions for capital improvements, investment earnings on 8168  
moneys in the fund, and moneys obtained from federal or private 8169  
grants or from other sources for the purpose of making loans for 8170  
the purpose of financing or assisting in the financing of the cost 8171  
of capital improvement projects of local subdivisions. 8172

PWC PUBLIC WORKS COMMISSION 8173

	Appropriations	
CAP-151 Revolving Loan	\$ 37,500,000	8174
Total Public Works Commission	\$ 37,500,000	8175
TOTAL State Capital Improvements Revolving		8176
Loan Fund	\$ 37,500,000	8177

The foregoing appropriation item CAP-151, Revolving Loan, 8178  
shall be used in accordance with sections 164.01 to 164.12 of the 8179  
Revised Code. 8180

**Section 35. CERTIFICATION OF AVAILABILITY OF MONEYS** 8181

No moneys that require release shall be expended from any 8182

appropriation contained in this act without certification of the 8183  
Director of Budget and Management that there are sufficient moneys 8184  
in the state treasury in the fund from which the appropriation is 8185  
made. Such certification made by the Office of Budget and 8186  
Management shall be based on estimates of revenue, receipts, and 8187  
expenses. Nothing herein shall be construed as a limitation on the 8188  
authority of the Director of Budget and Management as granted in 8189  
section 126.07 of the Revised Code. 8190

**Section 36.** The appropriations made in this act, excluding 8191  
those made to the State Capital Improvement Fund (Fund 038) and 8192  
the State Capital Improvements Revolving Loan Fund (Fund 040) for 8193  
buildings or structures, including remodeling and renovations, are 8194  
limited to: 8195

(A) Acquisition of real property or interest in real 8196  
property; 8197

(B) Buildings and structures, which includes construction, 8198  
demolition, complete heating, lighting, and lighting fixtures, and 8199  
all necessary utilities, ventilating, plumbing, sprinkling, and 8200  
sewer systems, when such systems are authorized or necessary; 8201

(C) Architectural, engineering, and professional services 8202  
expenses directly related to the projects; 8203

(D) Machinery that is a part of structures at the time of 8204  
initial acquisition or construction; 8205

(E) Acquisition, development, and deployment of new computer 8206  
systems, including the redevelopment or integration of existing 8207  
and new computer systems, but excluding regular or ongoing 8208  
maintenance or support agreements; 8209

(F) Equipment that meets all the following criteria: 8210

(1) The equipment is essential in bringing the facility up to 8211  
its intended use. 8212

(2) The unit cost of the equipment, and not the individual parts of a unit, is about \$100 or more. 8213  
8214

(3) The equipment has a useful life of five years or more. 8215

(4) The equipment is necessary for the functioning of a particular facility. 8216  
8217

(5) The equipment will be used primarily in the rooms or areas covered in the project. 8218  
8219

No equipment shall be paid for from these appropriations that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated. 8220  
8221  
8222  
8223

**Section 37.** Any request for release of capital appropriations by the Director of Budget and Management or the Controlling Board of capital appropriations for projects, the contracts for which are awarded by the Department of Administrative Services, shall contain a contingency reserve, the amount of which shall be determined by the Department of Administrative Services, for payment of unanticipated project expenses. Any amount deducted from the encumbrance for a contractor's contract as an assessment for liquidated damages shall be added to the encumbrance for the contingency reserve. Contingency reserve funds shall be used to pay costs resulting from unanticipated job conditions, to comply with rulings regarding building and other codes, to pay costs related to errors or omissions in contract documents, to pay costs associated with changes in the scope of work, and to pay the cost of settlements and judgments related to the project. 8224  
8225  
8226  
8227  
8228  
8229  
8230  
8231  
8232  
8233  
8234  
8235  
8236  
8237  
8238

Upon completion of a project, should any funds remain, such remaining funds may, upon approval of the Controlling Board, be released for the use of the institution to which the appropriation 8240  
8241  
8242

was made for another capital facilities project or projects. 8243

**Section 38.** AGENCY ADMINISTRATION OF CAPITAL FACILITIES 8244  
PROJECTS 8245

Notwithstanding sections 123.01 and 123.15 of the Revised 8246  
Code, the Director of Administrative Services may authorize the 8247  
Departments of Mental Health, Mental Retardation and Developmental 8248  
Disabilities, Alcohol and Drug Addiction Services, Agriculture, 8249  
Jobs and Family Services, Rehabilitation and Correction, Youth 8250  
Services, Public Safety, and Transportation, the Ohio Veterans' 8251  
Home, and the Rehabilitation Services Commission to administer any 8252  
capital facilities projects when the estimated cost, including 8253  
design fees, construction, equipment, and contingency amounts, is 8254  
less than \$1,500,000. Requests for authorization to administer 8255  
capital facilities projects shall be made in writing to the 8256  
Director of Administrative Services by the respective state agency 8257  
within sixty days after the effective date of the act in which the 8258  
General Assembly initially makes an appropriation for the project. 8259

The director of a state agency authorized by the Director of 8260  
Administrative Services to administer capital facilities projects 8261  
pursuant to this section shall comply with the procedures and 8262  
guidelines established in Chapter 153. of the Revised Code. Upon 8263  
the release of funds for such projects by the Controlling Board or 8264  
the Director of Budget and Management, the agency may administer 8265  
the capital project without the supervision, control, or approval 8266  
of the Director of Administrative Services. 8267

**Section 39.** SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST 8268  
THE STATE 8269

Except as otherwise provided in this section, an 8270  
appropriation contained in this act or any other act may be used 8271  
for the purpose of satisfying judgments, settlements, or 8272

administrative awards ordered or approved by the Court of Claims 8273  
or by any other court of competent jurisdiction in connection with 8274  
civil actions against the state. This authorization shall not 8275  
apply to appropriations to be applied to or used for payment of 8276  
guarantees by or on behalf of the state or for payments under 8277  
lease agreements relating to or debt service on bonds, notes, or 8278  
other obligations of the state. Notwithstanding any other section 8279  
of law to the contrary, this authorization includes appropriations 8280  
from funds into which proceeds or direct obligations of the state 8281  
are deposited only to the extent that the judgment, settlement, or 8282  
administrative award is for or represents capital costs for which 8283  
the appropriation may otherwise be used and is consistent with the 8284  
purpose for which any related bonds were issued. Nothing contained 8285  
in this section is intended to subject the state to suit in any 8286  
forum in which it is not otherwise subject to suit, or is it 8287  
intended to waive or compromise any defense or right available to 8288  
the state in any suit against it. 8289

**Section 40.** Notwithstanding section 126.14 of the Revised 8290  
Code, appropriations for appropriation items CAP-002, Local Jails, 8291  
and CAP-003, Community-Based Correctional Facilities, appropriated 8292  
from the Adult Correctional Building Fund (Fund 027) to the 8293  
Department of Rehabilitation and Correction shall be released upon 8294  
the written approval of the Director of Budget and Management. The 8295  
appropriations from the Public School Building Fund (Fund 021), 8296  
the Education Facilities Trust Fund (Fund N87), and the School 8297  
Building Program Assistance Fund (Fund 032) to the School 8298  
Facilities Commission, from the Transportation Building Fund (Fund 8299  
029) to the Department of Transportation, from the Clean Ohio 8300  
Conservation Fund (Fund 056) to the Public Works Commission, and 8301  
appropriations from the State Capital Improvement Fund (Fund 038) 8302  
and the State Capital Improvements Revolving Loan Fund (Fund 040) 8303  
to the Public Works Commission shall be released upon presentation 8304

of a request to release the funds, by the agency to which the 8305  
appropriation has been made, to the Director of Budget and 8306  
Management. 8307

**Section 41.** Except as provided in section 4115.04 of the 8308  
Revised Code, no moneys appropriated or reappropriated by the 8309  
124th General Assembly shall be used for the construction of 8310  
public improvements, as defined in section 4115.03 of the Revised 8311  
Code, unless the mechanics, laborers, or workers engaged therein 8312  
are paid the prevailing rate of wages as prescribed in section 8313  
4115.04 of the Revised Code. Nothing in this section shall affect 8314  
the wages and salaries established for state employees under the 8315  
provisions of Chapter 124. of the Revised Code, or collective 8316  
bargaining agreements entered into by the state pursuant to 8317  
Chapter 4117. of the Revised Code, while engaged on force account 8318  
work, nor shall this section interfere with the use of inmate and 8319  
patient labor by the state. 8320

**Section 42. CAPITAL FACILITIES LEASES** 8321

Capital facilities for which appropriations are made from the 8322  
Administrative Building Fund (Fund 026), the Adult Correctional 8323  
Building Fund (Fund 027), the Juvenile Correctional Building Fund 8324  
(Fund 028), and the Arts Facilities Building Fund (Fund 030) may 8325  
be leased by the Ohio Building Authority to the Department of 8326  
Youth Services, the Arts and Sports Facilities Commission, the 8327  
Department of Administrative Services, and the Department of 8328  
Rehabilitation and Correction, and other agreements may be made by 8329  
the Ohio Building Authority and the departments with respect to 8330  
the use or purchase of such capital facilities, or subject to the 8331  
approval of the director of the department or the commission, the 8332  
Ohio Building Authority may lease such capital facilities to, and 8333  
make other agreements with respect to the use or purchase thereof 8334

with, any governmental agency or nonprofit corporation having 8335  
authority under law to own, lease, or operate such capital 8336  
facilities. The director of the department or the commission may 8337  
sublease such capital facilities to, and make other agreements 8338  
with respect to the use or purchase thereof with, any such 8339  
governmental agency or nonprofit corporation, which may include 8340  
provisions for transmittal of receipts of that agency or nonprofit 8341  
corporation of any charges for the use of such facilities, all 8342  
upon such terms and conditions as the parties may agree upon and 8343  
any other provision of law affecting the leasing, acquisition, or 8344  
disposition of capital facilities by such parties. 8345

**Section 43.** The Director of Budget and Management shall 8346  
authorize both of the following: 8347

(A) The initial release of moneys for projects from the funds 8348  
into which proceeds of direct obligations of the state are 8349  
deposited. 8350

(B) The expenditure or encumbrance of moneys from funds into 8351  
which proceeds of direct obligations are deposited, only after 8352  
determining to the director's satisfaction that either of the 8353  
following apply: 8354

(1) The application of such moneys to the particular project 8355  
will not negatively affect any exemption or exclusion from federal 8356  
income tax of the interest or interest equivalent on obligations, 8357  
issued to provide moneys to the particular fund. 8358

(2) Moneys for the project will come from the proceeds of 8359  
obligations, the interest on which is not so excluded or exempt 8360  
and which have been authorized as "taxable obligations" by the 8361  
issuing authority. 8362

The director shall report any nonrelease of moneys pursuant 8363  
to this section to the Governor, the presiding officer of each 8364

house of the General Assembly, and the agency for the use of which 8365  
the project is intended. 8366

**Section 44. SCHOOL FACILITIES ENCUMBRANCES AND 8367**  
REAPPROPRIATION 8368

At the request of the Executive Director of the Ohio School 8369  
Facilities Commission, the Director of Budget and Management may 8370  
cancel encumbrances for school district projects from a previous 8371  
biennium if the district has not raised its local share of project 8372  
costs within one year of receiving Controlling Board approval in 8373  
accordance with section 3318.05 of the Revised Code. The Executive 8374  
Director of the Ohio School Facilities Commission shall certify 8375  
the amounts of these canceled encumbrances to the Director of 8376  
Budget and Management on a quarterly basis. The amounts of the 8377  
canceled encumbrances are hereby appropriated. 8378

**Section 45. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES 8379**  
OF CAPITAL APPROPRIATIONS 8380

(A) An unexpended balance of a capital appropriation or 8381  
reappropriation that a state agency has lawfully encumbered prior 8382  
to the close of a capital biennium is hereby reappropriated for 8383  
the following capital biennium from the fund from which it was 8384  
originally appropriated or was reappropriated and shall be used 8385  
only for the purpose of discharging the encumbrance in the 8386  
following capital biennium. For those encumbered appropriations or 8387  
reappropriations, any Controlling Board approval previously 8388  
granted and referenced by the encumbering document remains in 8389  
effect until the encumbrance is discharged in the following 8390  
capital biennium or until the encumbrance expires at the end of 8391  
the following capital biennium. 8392

(B) At the end of the reappropriation period provided for by 8393  
division (A) of this section, an unexpended balance of a capital 8394

appropriation or reappropriation that remains encumbered at the  
end of that period is hereby reappropriated for the next capital  
biennium from the fund from which it was originally appropriated  
or was reappropriated and shall be used only for the purpose of  
discharging the encumbrance in the next capital biennium. For  
those encumbered appropriations or reappropriations, any  
Controlling Board approval previously granted and referenced by  
the encumbering document remains in effect until the encumbrance  
is discharged in the next capital biennium or until the  
encumbrance expires at the end of the next capital biennium.

(C) At the end of the reappropriation period provided for by  
division (B) of this section, a reappropriation made pursuant to  
division (B) of this section shall lapse, and the encumbrance  
shall expire.

(D) If an encumbrance expired pursuant to division (C) of  
this section, the Director of Budget and Management may  
re-establish the encumbrance as provided in this division. If a  
reappropriation for a project is made by the General Assembly for  
the biennium immediately following the biennium in which an  
encumbrance for that project expired, the Director of Budget and  
Management may re-establish the encumbrance in an amount not to  
exceed the amount of the expired encumbrance, in the name of the  
contractor named in the expired encumbrance, and for the same  
purpose specified in the expired encumbrance. The encumbrance  
shall be charged against the reappropriation for the project. The  
amount re-encumbered shall be used only for the purpose of  
discharging the encumbrance in the capital biennium for which the  
reappropriation was made. For those re-encumbered  
reappropriations, any Controlling Board approval previously  
granted and referenced by the expired encumbering document remains  
in effect until the encumbrance is discharged or expires at the  
end of the capital biennium for which the reappropriation was

made. If any portion of the amount re-encumbered by the Director  
of Budget and Management under this division is not expended prior  
to the close of the capital biennium for which the reappropriation  
was made, that amount is hereby reappropriated for the following  
capital biennium as provided for in division (A) of this section  
and subject to the provisions of division (A) of this section.

**Section 46.** Capital reappropriations in this act that have  
been released by the Controlling Board or the Director of Budget  
and Management between June 30, 2000, and July 1, 2002, do not  
require further approval or release prior to being encumbered.  
Funds reappropriated in excess of such prior releases shall be  
released in accordance with applicable provisions of this act.

**Section 47.** Unless otherwise specified, the reappropriations  
made in this act represent the unencumbered and unallotted  
balances of prior years' capital improvements appropriations  
estimated to be available on June 30, 2002. The actual balances on  
June 30, 2002, for the appropriation items in this act are hereby  
reappropriated. Additionally, there is hereby reappropriated the  
unencumbered and unallotted balances on June 30, 2002, of any  
appropriation items either reappropriated in Sub. S.B. 245 of the  
123rd General Assembly or appropriated in Sub. H.B. 640 of the  
123rd General Assembly, or created by the Controlling Board  
pursuant to section 127.15 of the Revised Code from appropriation  
items in Sub. S.B. 245 and Am. Sub. H.B. 640, both of the 123rd  
General Assembly, and this act, if the Director of Budget and  
Management determines that such balances are needed to complete  
the projects for which they were reappropriated or appropriated.  
The appropriation items and amounts that are reappropriated by  
this act shall be reported to the Controlling Board within 30 days  
after the effective date of this section.

**Section 48.** No appropriation for a health care facility 8457  
authorized under this act may be released until the requirements 8458  
of sections 3702.51 to 3702.68 of the Revised Code have been met. 8459

**Section 49.** All proceeds received by the state as a result of 8460  
litigation, judgments, settlements, or claims, filed by or on 8461  
behalf of any state agency as defined by section 1.60 of the 8462  
Revised Code or state-supported or state-assisted institution of 8463  
higher education, for damages or costs resulting from the use, 8464  
removal, or hazard abatement of asbestos materials shall be 8465  
deposited in the Asbestos Abatement Distribution Fund (Fund 674). 8466  
All funds deposited into the Asbestos Abatement Distribution Fund 8467  
are hereby appropriated to the Attorney General. To the extent 8468  
practicable, the proceeds placed in the Asbestos Abatement 8469  
Distribution Fund shall be divided among the state agencies and 8470  
state-supported or state-assisted institutions of higher education 8471  
in accordance with the general provisions of the litigation 8472  
regarding the percentage of recovery. Distribution of the proceeds 8473  
to each state agency or state-supported or state-assisted 8474  
institution of higher education shall be made in accordance with 8475  
the Asbestos Abatement Distribution Plan to be developed by the 8476  
Attorney General, the Division of Public Works within the 8477  
Department of Administrative Services, and the Office of Budget 8478  
and Management. 8479

In those circumstances where asbestos litigation proceeds are 8480  
for reimbursement of expenditures made with funds outside the 8481  
state treasury or damages to buildings not constructed with state 8482  
appropriations, direct payments shall be made to the affected 8483  
institutions of higher education. Any proceeds received for 8484  
reimbursement of expenditures made with funds within the state 8485  
treasury or damages to buildings occupied by state agencies shall 8486  
be distributed to the affected agencies with an intrastate 8487

transfer voucher to the funds identified in the Asbestos Abatement 8488  
Distribution Plan. 8489

Such proceeds shall be used for additional asbestos abatement 8490  
or encapsulation projects, or for other capital improvements, 8491  
except that proceeds distributed to the General Revenue Fund and 8492  
other funds that are not bond improvement funds may be used for 8493  
any purpose. The Controlling Board may, for bond improvement 8494  
funds, create appropriation items or increase appropriation 8495  
authority in existing appropriation items equaling the amount of 8496  
such proceeds. Such amounts approved by the Controlling Board are 8497  
hereby appropriated. Such proceeds deposited in bond improvement 8498  
funds shall not be expended until released by the Controlling 8499  
Board, which shall require certification by the Director of Budget 8500  
and Management that such proceeds are sufficient and available to 8501  
fund the additional anticipated expenditures. 8502

**Section 50.** The capital improvements for which appropriations 8503  
are made in this act from Sports Facilities Building Fund, (Fund 8504  
024), the Highway Safety Building Fund (Fund 025), the 8505  
Administrative Building Fund (Fund 026), the Adult Correctional 8506  
Building Fund (Fund 027), the Juvenile Correctional Building Fund 8507  
(Fund 028), the Transportation Building Fund (Fund 029), and the 8508  
Arts Facilities Building Fund (Fund 030) are determined to be 8509  
capital improvements and capital facilities for housing state 8510  
agencies and branches of state government and are designated as 8511  
capital facilities to which proceeds of obligations issued under 8512  
Chapter 152. of the Revised Code are to be applied. 8513

**Section 51.** Upon the request of the agency to which a capital 8514  
project appropriation item is appropriated, the Director of Budget 8515  
and Management may transfer open encumbrance amounts between 8516  
separate encumbrances for the project appropriation item to the 8517  
extent that any reductions in encumbrances are agreed to by the 8518

contracting vendor and the agency. 8519

**Section 52.** Any proceeds received by the State of Ohio as the 8520  
result of litigation or a settlement agreement related to any 8521  
liability for the planning, design, engineering, construction, or 8522  
constructed management of such facilities operated by the 8523  
Department of Administrative Services shall be deposited into the 8524  
Administrative Building Fund (Fund 026). 8525

**Section 53.** The balance in the Vocational School Building 8526  
Assistance Fund (Fund 020), and all receipts and interest accruing 8527  
to the fund from any source during the period of this act, are 8528  
hereby appropriated to the Department of Education. The 8529  
appropriation shall be used pursuant to section 3317.21 of the 8530  
Revised Code. 8531

**Section 54.** Sections 3 to 53 of this act shall remain in full 8532  
force and effect commencing on July 1, 2002, and terminating on 8533  
June 30, 2004, for the purpose of drawing money from the state 8534  
treasury in payment of liabilities lawfully incurred hereunder, 8535  
and on June 30, 2004, and not before, the moneys hereby 8536  
appropriated shall lapse into the funds from which they are 8537  
severally appropriated. If, under Ohio Constitution, Article II, 8538  
Section 1c, Sections 3 to 53 of this act do not take effect until 8539  
after July 1, 2002, Sections 3 to 53 of this act shall be and 8540  
remain in full force and effect commencing on that later effective 8541  
date. 8542

**Section 55. NOTARY COMMISSION TRANSFER** 8543

Upon the effective date of this section or as soon thereafter 8544  
as possible, the Director of Budget and Management shall transfer 8545  
\$150,000 in cash from Fund 412, the Notary Commission Fund, to 8546

Fund 414, the Citizen Education Fund. 8547

**Section 56.** Pursuant to the agreement made between the 8548  
Department of Development and the Dayton-Montgomery County Port 8549  
Authority, approved by the Controlling Board on June 19, 2000, the 8550  
Director of Development shall permit the approved \$5,000,000 from 8551  
appropriation item 195-412, Business Development Grants, to be 8552  
used to increase the debt capacity of the Dayton-Montgomery County 8553  
Port Authority and to fund regional economic development 8554  
priorities approved by the Dayton-Montgomery County Port Authority 8555  
Board. This change in the agreement is not subject to Controlling 8556  
Board approval. 8557

**Section 57. EMERGENCY SCHOOL BUILDING REPAIR PROGRAM 8558**

The Executive Director of the Ohio School Facilities 8559  
Commission shall certify to the Director of Budget and Management 8560  
the amount to be transferred from the unencumbered and unallotted 8561  
balance in appropriation item CAP-783, Emergency School Building 8562  
Assistance, to appropriation item CAP-622, Public School 8563  
Buildings. The amount transferred from appropriation item CAP-783, 8564  
Emergency School Building Assistance, to appropriation item 8565  
CAP-622, Public School Buildings, shall be used to fund classroom 8566  
facilities improvements in accordance with Chapter 3318. of the 8567  
Revised Code. 8568

The Executive Director of the Ohio School Facilities 8569  
Commission shall certify to the Director of Budget and Management 8570  
the amount to be transferred from the unencumbered and unallotted 8571  
balance in appropriation item CAP-776, Emergency School Building 8572  
Repair Program, to appropriation item CAP-770, School Building 8573  
Program Assistance. The amount transferred from appropriation item 8574  
CAP-776, Emergency School Building Repair Program, to 8575  
appropriation item CAP-770, School Building Program Assistance, 8576

shall be used to fund classroom facilities improvements in 8577  
accordance with Chapter 3318. of the Revised Code. 8578

**Section 58.** (A) As used in this section, "design-build 8579  
construction method" means a construction method that has both of 8580  
the following characteristics: 8581

(1) An architecture firm and a contractor form a single 8582  
entity that files a bid to construct a project and that, if 8583  
awarded the contract to construct the project, agrees to a project 8584  
price and completion date. 8585

(2) The entity described in division (A)(1) of this section 8586  
assumes all of the financial risk if the project is delayed or 8587  
exceeds the project price, and receives bonuses if the cost it 8588  
incurs is less than the project price and it meets the 8589  
construction target dates. 8590

(B) The Board of County Commissioners of Ashtabula County may 8591  
construct, as a pilot project and by using the design-build 8592  
construction method, a lodge and conference center at Geneva State 8593  
Park on land leased from the Department of Natural Resources. In 8594  
carrying out this pilot project, the Board and the Department are 8595  
exempt from complying with any otherwise applicable provisions of 8596  
Chapter 153. and sections 307.86 to 307.92 of the Revised Code. 8597

**Section 59.** A previously effective rule or version of a rule, 8598  
not effective on the effective date of this section, that, while 8599  
previously effective, incorporated a text by reference, is 8600  
ratified insofar as the incorporation by reference might raise a 8601  
question with regard to the rule's or version's validity as 8602  
applied to facts occurring while the rule or version previously 8603  
was effective. 8604

This section is a remedial law as that term is used in 8605  
section 1.11 of the Revised Code. 8606

**Section 60.** Section 5709.081 of the Revised Code, as amended 8607  
by this act, is remedial in nature and applies to the tax years at 8608  
issue in any application for exemption from taxation pending 8609  
before the Tax Commissioner, the Board of Tax Appeals, any Court 8610  
of Appeals, or the Supreme Court on the effective date of this act 8611  
and to the property that is the subject of any such application. 8612

**Section 61.** That Sections 4.03 and 5.04 of Sub. H.B. 73 of 8613  
the 124th General Assembly be amended to read as follows: 8614

**"Sec. 4.03.** TRANSFER OF FUND 002 APPROPRIATIONS - PLANNING 8615  
AND RESEARCH, HIGHWAY CONSTRUCTION, HIGHWAY MAINTENANCE, AVIATION, 8616  
AND ADMINISTRATION 8617

The Director of Budget and Management may approve requests 8618  
from the Department of Transportation for transfer of 8619  
appropriations for highway planning and research (appropriation 8620  
items 771-411 and 771-412), highway construction (appropriation 8621  
items 772-421, 772-422, and 772-424), highway maintenance 8622  
(appropriation item 773-431), aviation (appropriation item 8623  
777-475), and highway administration (appropriation item 779-491). 8624  
Transfers of appropriations may be made upon the written request 8625  
of the Director of Transportation and with the approval of the 8626  
Director of Budget and Management. Such transfers shall be 8627  
reported to the Controlling Board at the next regularly scheduled 8628  
meeting of the board. 8629

This transfer authority is intended to provide for emergency 8630  
situations and flexibility to meet unforeseen conditions that 8631  
could arise during the budget period. It also is intended to allow 8632  
the department to optimize the use of available resources and 8633  
adjust to circumstances affecting the obligation and expenditure 8634  
of federal funds. 8635

TRANSFER OF APPROPRIATIONS - FEDERAL HIGHWAY AND FEDERAL 8636  
TRANSIT 8637

The Director of Budget and Management may approve requests 8638  
from the Department of Transportation for the transfer of 8639  
appropriations between appropriation items 772-422, Highway 8640  
Construction - Federal, and 775-452, Public Transportation - 8641  
Federal, based upon transit capital projects meeting Federal 8642  
Highway Administration and Federal Transit Administration funding 8643  
guidelines. Transfers between these appropriation items may be 8644  
made upon the written request of the Director of Transportation 8645  
and with the approval of the Director of Budget and Management. 8646  
Such transfers shall be reported to the Controlling Board at its 8647  
next regularly scheduled meeting. 8648

TRANSFER OF APPROPRIATIONS - STATE INFRASTRUCTURE BANK 8649

The Director of Budget and Management may approve requests 8650  
from the Department of Transportation for transfer of 8651  
appropriations and cash of the Infrastructure Bank funds created 8652  
in section 5531.09 of the Revised Code, including transfers 8653  
between fiscal years 2002 and 2003. Such transfers shall be 8654  
reported to the Controlling Board at its next regularly scheduled 8655  
meeting. However, the director may not make transfers out of debt 8656  
service and lease payment appropriation items unless the director 8657  
determines that the appropriated amounts exceed the actual and 8658  
projected debt, rental, or lease payments. 8659

The Director of Budget and Management may approve requests 8660  
from the Department of Transportation for transfer of 8661  
appropriations and cash from the Highway Operating Fund (Fund 002) 8662  
to the Infrastructure Bank funds created in section 5531.09 of the 8663  
Revised Code. The Director of Budget and Management may transfer 8664  
from the Infrastructure Bank funds to the Highway Operating Fund 8665  
up to the amounts originally transferred to the Infrastructure 8666  
Bank funds under this section. Such transfers shall be reported to 8667

the Controlling Board at its next regularly scheduled meeting. 8668  
~~However, the~~ The director may not make transfers between modes and 8669  
transfers between different funding sources with the exception of 8670  
transfers that may be needed to make required payments on state 8671  
Infrastructure Bank obligations. 8672

INCREASE APPROPRIATION AUTHORITY - STATE FUNDS 8673

In the event that receipts or unexpended balances credited to 8674  
the Highway Operating Fund exceed the estimates upon which the 8675  
appropriations have been made in ~~this act~~ Sub. H.B. 73 of the 8676  
124th General Assembly, upon the request of the Director of 8677  
Transportation, the Controlling Board may increase appropriation 8678  
authority in the manner prescribed in section 131.35 of the 8679  
Revised Code. 8680

INCREASE APPROPRIATION AUTHORITY - FEDERAL AND LOCAL FUNDS 8681

In the event that receipts or unexpended balances credited to 8682  
the Highway Operating Fund or apportionments or allocations made 8683  
available from the federal and local government exceed the 8684  
estimates upon which the appropriations have been made in ~~this act~~ 8685  
Sub. H.B. 73 of the 124th General Assembly, upon the request of 8686  
the Director of Transportation, the Controlling Board may increase 8687  
appropriation authority in the manner prescribed in section 131.35 8688  
of the Revised Code. 8689

REAPPROPRIATIONS 8690

All appropriations of the Highway Operating Fund (Fund 002), 8691  
the Highway Capital Improvement Fund (Fund 042), and the 8692  
Infrastructure Bank funds created in section 5531.09 of the 8693  
Revised Code remaining unencumbered on June 30, 2001, and the 8694  
unexpended balance of prior years' appropriations that 8695  
subsequently become unencumbered after June 30, 2001, subject to 8696  
the availability of revenue as determined by the Director of 8697  
Transportation, are hereby reappropriated for the same purpose in 8698

fiscal year 2002 upon the request of the Director of  
 Transportation and with the approval of the Director of Budget and  
 Management. Such reappropriations shall be reported to the  
 Controlling Board.

All appropriations of the Highway Operating Fund (Fund 002),  
 the Highway Capital Improvement Fund (Fund 042), and the  
 Infrastructure Bank funds created in section 5531.09 of the  
 Revised Code remaining unencumbered as of June 30, 2002, and the  
 unexpended balance of prior years' appropriations that  
 subsequently become unencumbered after June 30, 2002, subject to  
 the availability of revenue as determined by the Director of  
 Transportation, are hereby reappropriated for use during fiscal  
 year 2003 for the same purpose, upon the request of the Director  
 of Transportation and with the approval of the Director of Budget  
 and Management. The department shall report all such  
 reappropriations to the Controlling Board.

**Sec. 5.04. INVESTIGATIVE UNIT**

State Highway Safety Fund Group				8716
831 767-610 Liquor Enforcement -	\$	483,710	\$ 514,184	8717
Federal				
831 769-610 Food Stamp Trafficking	\$	974,809	\$ 1,025,732	8718
Enforcement - Federal				
TOTAL HSF State Highway Safety				8719
Fund Group	\$	1,458,519	\$ 1,539,916	8720
Liquor Control Fund Group				8721
043 767-321 Liquor Enforcement -	\$	8,739,650	\$ 9,266,891	8722
Operations				
TOTAL LCF Liquor Control Fund				8723
Group	\$	8,739,650	\$ 9,266,891	8724
State Special Revenue Fund Group				8725
622 767-615 Investigative	\$	394,255	\$ 404,111	8726

Contraband and				
Forfeiture				
TOTAL SSR State Special Revenue				8727
Fund Group	\$	394,255	\$ 404,111	8728
TOTAL ALL BUDGET FUND GROUPS -				8729
Special Enforcement	\$	10,592,424	\$ 11,210,918	8730
<u>LEASE RENTAL PAYMENTS FOR CAP-076, INVESTIGATIVE UNIT MARCS</u>				8731
<u>EQUIPMENT</u>				8732
<u>The Director of Public Safety, using intrastate transfer</u>				8733
<u>vouchers, shall make cash transfers to the State Highway Safety</u>				8734
<u>Fund (Fund 036) from other funds to reimburse the State Highway</u>				8735
<u>Safety Fund for its share of lease rental payments to the Ohio</u>				8736
<u>Building Authority that are associated with appropriation item</u>				8737
<u>CAP-076, Investigative Unit MARCS Equipment."</u>				8738
 <b>Section 62.</b> That existing Sections 4.03 and 5.04 of Sub. H.B.				8739
73 of the 124th General Assembly are hereby repealed.				8740
 <b>Section 63.</b> That Sections 13, 13.01, 13.05, 13.12, and 69 of				8741
Am. Sub. H.B. 94 of the 124th General Assembly be amended to read				8742
as follows:				8743
 <b>"Sec. 13.</b> DAS DEPARTMENT OF ADMINISTRATIVE SERVICES				8744
General Revenue Fund				8745
GRF 100-402	Unemployment	\$	107,713 \$ 109,114	8746
Compensation				
GRF 100-405	Agency Audit Expenses	\$	662,147 \$ 614,704	8747
GRF 100-406	County & University	\$	850,133 \$ 838,777	8748
Human Resources				
Services				
GRF 100-409	Departmental	\$	948,332 \$ 975,481	8749
Information Services				

GRF 100-414	Ohio Geographically Referenced Information Program	\$ 512,410	\$ 510,807	8750
GRF 100-416	Strategic Technology Development Programs	\$ 3,470,440	\$ 5,000,000	8751
GRF 100-417	MARCS	\$ 5,350,344	\$ 6,176,160	8752
GRF 100-418	E-Government Development	\$ 2,000,000	\$ 4,000,000	8753
GRF 100-419	Ohio SONET	\$ 4,527,924	<del>4,625,879</del> <u>1,785,270</u>	8754 8755
GRF 100-420	Innovation Ohio	\$ 144,000	\$ 144,000	8756
GRF 100-421	ERP Project Implementation	\$ 600,000	\$ 624,000	8757
GRF 100-433	State of Ohio Computer Center	\$ 5,003,580	\$ 5,027,234	8758
GRF 100-439	Equal Opportunity Certification Programs	\$ 817,894	\$ 861,093	8759
GRF 100-447	OBA - Building Rent Payments	\$ 96,106,300	\$ 110,268,500	8760
GRF 100-448	OBA - Building Operating Payments	\$ 26,098,000	\$ 26,098,000	8761
GRF 100-449	DAS - Building Operating Payments	\$ 5,126,955	\$ 5,126,968	8762
GRF 100-451	Minority Affairs	\$ 119,706	\$ 118,043	8763
GRF 100-734	Major Maintenance	\$ 70,224	\$ 68,376	8764
GRF 102-321	Construction Compliance	\$ 1,392,590	\$ 1,396,506	8765
GRF 130-321	State Agency Support Services	\$ 3,632,427	\$ 3,740,888	8766
TOTAL GRF General Revenue Fund		\$ 157,541,119	<del>176,324,530</del> <u>173,483,921</u>	8767 8768
General Services Fund Group				8769
112 100-616	DAS Administration	\$ 5,243,105	\$ 5,503,547	8770

115	100-632	Central Service Agency	\$	<del>399,438</del>	\$	376,844	8771
				<u>1,259,438</u>			8772
117	100-644	General Services	\$	5,790,000	\$	7,091,000	8773
		Division - Operating					
122	100-637	Fleet Management	\$	1,600,913	\$	1,652,189	8774
125	100-622	Human Resources	\$	23,895,125	\$	24,640,311	8775
		Division - Operating					
127	100-627	Vehicle Liability	\$	3,373,835	\$	3,487,366	8776
		Insurance					
128	100-620	Collective Bargaining	\$	3,292,859	\$	3,410,952	8777
130	100-606	Risk Management	\$	185,900	\$	197,904	8778
		Reserve					
131	100-639	State Architect's	\$	7,504,787	\$	7,772,789	8779
		Office					
132	100-631	DAS Building	\$	10,887,913	\$	11,362,872	8780
		Management					
188	100-649	Equal Opportunity	\$	1,214,691	\$	1,253,311	8781
		Programs					
201	100-653	General Services	\$	1,779,000	\$	1,833,000	8782
		Resale Merchandise					
210	100-612	State Printing	\$	6,648,503	\$	6,928,823	8783
4H2	100-604	Governor's Residence	\$	22,628	\$	23,194	8784
		Gift					
4P3	100-603	Departmental MIS	\$	7,447,713	\$	7,761,365	8785
		Services					
427	100-602	Investment Recovery	\$	4,204,735	\$	4,179,184	8786
5C2	100-605	MARCS Development	\$	3,429,947	\$	4,475,190	8787
5C3	100-608	Skilled Trades	\$	2,237,200	\$	2,332,464	8788
5D7	100-621	Workforce Development	\$	12,000,000	\$	12,000,000	8789
5L7	100-610	Professional	\$	2,700,000	\$	2,700,000	8790
		Development					
TOTAL GSF General Services Fund							8791
Group			\$	<del>103,858,292</del>	\$	108,982,305	8792

			<u>104,718,292</u>		8793
	Intragovernmental Service Fund Group				8794
133	100-607	Information Technology	\$ 104,482,097	\$ 111,387,436	8795
		Fund			
4N6	100-617	Major Computer	\$ 12,000,000	\$ 4,500,000	8796
		Purchases			
	TOTAL ISF Intragovernmental				8797
	Service Fund Group				8798
			\$ 116,482,097	\$ 115,887,436	8798
	Agency Fund Group				8799
113	100-628	Unemployment	\$ 3,500,000	\$ 3,577,000	8800
		Compensation			
124	100-629	Payroll Deductions	\$ 1,877,100,000	\$ 1,999,100,000	8801
	TOTAL AGY Agency Fund Group				8802
			\$ 1,880,600,000	\$ 2,002,677,000	8802
	Holding Account Redistribution Fund Group				8803
R08	100-646	General Services	\$ 20,000	\$ 20,000	8804
		Refunds			
	TOTAL 090 Holding Account				8805
	Redistribution Fund Group				8806
			\$ 20,000	\$ 20,000	8806
	TOTAL ALL BUDGET FUND GROUPS				8807
			\$ <del>2,258,501,508</del>	\$ <del>2,403,891,271</del>	8807
			<u>2,259,361,508</u>	<u>2,401,050,662</u>	8808

**Sec. 13.01. AGENCY AUDIT EXPENSES** 8810

Of the foregoing appropriation item 100-405, Agency Audit 8811  
 Expenses, up to \$145,261 in fiscal year 2002 and up to \$74,447 in 8812  
 fiscal year 2003 shall be used to subsidize the operations of the 8813  
 Central Service Agency. The Department of Administrative Services 8814  
 shall transfer cash from appropriation item 100-405, Agency Audit 8815  
 Expenses, to the Central Service Agency Fund (Fund 115) using an 8816  
 intrastate transfer voucher. 8817

Of the foregoing appropriation item 100-405, Agency Audit 8818  
 Expenses, up to \$30,000 in fiscal year 2002 and \$30,000 in fiscal 8819  
 year 2003 shall be used for the Department of Administrative 8820

Services' GRF appropriation item-related auditing expenses. The 8821  
remainder of the appropriation shall be used for auditing expenses 8822  
designated in division (A)(1) of section 117.13 of the Revised 8823  
Code for those state agencies audited on a biennial basis. 8824

VETERANS' RECORDS CONVERSION 8825

The unencumbered balance of appropriation item 100-410, 8826  
Veterans' Records Conversion, at the end of fiscal year 2002 shall 8827  
be transferred to fiscal year 2003 for use under the same 8828  
appropriation item. 8829

**Sec. 13.05. CENTRAL SERVICE AGENCY FUND** 8830

~~In order to complete the migration of the licensing 8831  
applications of the professional licensing boards to a local area 8832  
network, the Director of Budget and Management may, at the request 8833  
of the Director of Administrative Services, cancel related 8834  
encumbrances in the Central Service Agency Fund (Fund 115) and 8835  
reestablish these encumbrances in fiscal year 2002 for the same 8836  
purpose and to the same vendor. The Director of Budget and 8837  
Management shall reduce the appropriation balance in fiscal year 8838  
2001 by the amount of encumbrances canceled in Fund 115. As 8839  
determined by the Director of Budget and Management, the amount 8840  
necessary to reestablish such encumbrances or parts of 8841  
encumbrances in fiscal year 2002 in the Central Service Agency 8842  
Fund (Fund 115) is appropriated.~~ 8843

The Director of Budget and Management may transfer up to 8844  
~~\$399,000~~ \$671,219 in fiscal year 2002 and up to ~~\$354,000~~ \$562,249 8845  
in fiscal year 2003 from the Occupational Licensing and Regulatory 8846  
Fund (Fund 4K9) to the Central Service Agency Fund (Fund 115). The 8847  
Director of Budget and Management may transfer up to ~~\$34,000~~ 8848  
\$61,781 in fiscal year 2002 and up to ~~\$30,000~~ \$51,751 in fiscal 8849  
year 2003 from the State Medical Board Operating Fund (Fund 5C6) 8850  
to the Central Service Agency Fund (Fund 115). ~~The Director of~~ 8851

~~Budget and Management may transfer up to \$18,000 in fiscal year 2002 and up to \$16,000 in fiscal year 2003 from the Pharmacy Board Operating Fund (Fund 5N2) to the Central Service Agency Fund (Fund 115).~~ The appropriation item 100-632, Central Service Agency, shall be used to purchase the necessary equipment, products, and services to install and maintain a ~~local area network~~ web-based application for the professional licensing boards, and to support their licensing applications. The amount of the cash transfer is appropriated to appropriation item 100-632, Central Service Agency.

**Sec. 13.12. INVESTMENT RECOVERY FUND**

Notwithstanding division (B) of section 125.14 of the Revised Code, cash balances in the Investment Recovery Fund may be used to support the operating expenses of the Federal Surplus Operating Program created in sections 125.84 to 125.90 of the Revised Code.

Notwithstanding division (B) of section 125.14 of the Revised Code, cash balances in the Investment Recovery Fund may be used to support the operating expenses of the State Property Inventory and Fixed Assets Management System Program.

Of the foregoing appropriation item 100-602, Investment Recovery, up to \$2,045,302 in fiscal year 2002 and up to \$1,959,192 in fiscal year 2003 shall be used to pay the operating expenses of the State Surplus Property Program, the Surplus Federal Property Program, and the State Property Inventory and Fixed Assets Management System Program pursuant to Chapter 125. of the Revised Code and this section. If additional appropriations are necessary for the operations of these programs, the Director of Administrative Services shall seek increased appropriations from the Controlling Board under section 131.35 of the Revised Code.

Of the foregoing appropriation item 100-602, Investment

Recovery, ~~\$2,045,302~~ \$2,159,433 in fiscal year 2002 and ~~\$1,959,192~~ \$2,219,992 in fiscal year 2003 shall be used to transfer proceeds from the sale of surplus property from the Investment Recovery Fund to non-General Revenue Funds pursuant to division (A)(2) of section 125.14 of the Revised Code. If it is determined by the Director of Administrative Services that additional appropriations are necessary for the transfer of such sale proceeds, the Director of Administrative Services may request the Director of Budget and Management to increase the amounts. Such amounts are appropriated.

Notwithstanding division (B) of section 125.14 of the Revised Code, the Director of Budget and Management, at the request of the Director of Administrative Services, shall transfer up to \$2,500,000 of the amounts held for transfer to the General Revenue Fund from the Investment Recovery Fund (Fund 427) to the General Services Fund (Fund 117) during the biennium beginning July 1, 2001, and ending June 30, 2003. The cash transferred to the General Services Fund shall be used to pay the operating expenses of the Competitive Sealed Proposal Program.

**Sec. 69. LSC LEGISLATIVE SERVICE COMMISSION**

General Revenue Fund				8903
GRF 035-321	Operating Expenses	\$ 13,325,000	\$ 14,470,000	8904
GRF 035-402	Legislative Interns	\$ 953,500	\$ 993,500	8905
GRF 035-404	Legislative Office of	\$ 1,192,146	\$ 1,239,832	8906
Education Oversight				
GRF 035-406	ATMS Replacement	\$ 90,000	\$ 90,000	8907
Project				
GRF 035-407	Legislative Task Force	\$ 2,000,000	\$ 0	8908
on Redistricting				
GRF 035-409	National Associations	\$ 417,906	\$ 427,381	8909
GRF 035-410	Legislative	\$ 4,343,000	\$ 4,690,000	8910
Information Systems				

TOTAL GRF General Revenue Fund	\$	22,321,552	\$	21,910,713	8911
General Services Fund Group					8912
4F6 035-603 Legislative Budget	\$	140,000	\$	145,000	8913
Services					
410 035-601 Sale of Publications	\$	25,000	\$	25,000	8914
TOTAL GSF General Services					8915
Fund Group	\$	165,000	\$	170,000	8916
TOTAL ALL BUDGET FUND GROUPS	\$	22,486,552	\$	22,080,713	8917

OPERATING EXPENSES 8918

On or before August 1, 2001, the Director of Budget and 8919  
Management shall determine and certify to the Director of the 8920  
Legislative Service Commission the total amount of unexpended, 8921  
unobligated appropriations made to the Commission for fiscal year 8922  
2001 in appropriation items 035-321 and 035-403. Additional 8923  
appropriation authority equal to the amount certified by the 8924  
Director of Budget and Management to the Director of the 8925  
Legislative Service Commission, not to exceed \$500,000, is hereby 8926  
appropriated to appropriation item 035-321 Operating Expenses, for 8927  
fiscal year 2002. 8928

ATMS REPLACEMENT PROJECT 8929

Of the foregoing appropriation item 035-406, ATMS Replacement 8930  
Project, any amounts not used for the ATMS project may be used to 8931  
pay the operating expenses of the Legislative Service Commission. 8932

LEGISLATIVE TASK FORCE ON REDISTRICTING 8933

On or before August 1, 2001, the Director of Budget and 8934  
Management shall determine and certify to the Director of the 8935  
Legislative Service Commission the total amount of unexpended, 8936  
unobligated appropriations made to the Commission for fiscal year 8937  
2001 in appropriation item 035-407, Legislative Task Force on 8938  
Redistricting. ~~Additional appropriation authority equal to the~~ The 8939  
amount certified by the Director of Budget and Management to the 8940

Director of the Legislative Service Commission is hereby 8941  
appropriated to appropriation item 035-407, Legislative Task Force 8942  
on Redistricting, for fiscal year 2002. 8943

On or before August 1, 2002, the Director of Budget and 8944  
Management shall determine and certify to the Director of the 8945  
Legislative Service Commission the total amount of unexpended, 8946  
unobligated appropriations made to the Commission for fiscal year 8947  
2002 in appropriation item 035-407, Legislative Task Force on 8948  
Redistricting. The amount certified by the Director of Budget and 8949  
Management to the Director of the Legislative Service Commission 8950  
is hereby appropriated to appropriation item 035-407, Legislative 8951  
Task Force on Redistricting, for fiscal year 2003. 8952

NATIONAL ASSOCIATIONS 8953

Of the foregoing appropriation item 035-409, National 8954  
Associations, \$10,000 in each fiscal year shall be used for the 8955  
State and Local Legal Center. 8956

LEGISLATIVE OFFICE OF EDUCATION OVERSIGHT 8957

The foregoing appropriation item 035-404, Legislative Office 8958  
of Education Oversight, shall be used to support the legislative 8959  
oversight activities of the Legislative Committee on Education 8960  
Oversight established in section 3301.68 of the Revised Code." 8961

**Section 64.** That existing Sections 13, 13.01, 13.05, 13.12, 8962  
and 69 of Am. Sub. H.B. 94 of the 124th General Assembly are 8963  
hereby repealed. 8964

**Section 65.** That Section 32 of Am. Sub. H.B. 94 of the 124th 8965  
General Assembly, as amended by Sub. H.B. 386 of the 124th General 8966  
Assembly, be amended to read as follows: 8967

"**Sec. 32.** COM DEPARTMENT OF COMMERCE 8968

General Revenue Fund				8969
GRF 800-402 Grants-Volunteer Fire	\$	912,500	\$ 793,750	8970
Departments				
GRF 800-410 Labor and Worker	\$	3,898,792	\$ 4,042,587	8971
Safety				
Total GRF General Revenue Fund	\$	4,811,292	\$ 4,836,337	8972
General Services Fund Group				8973
163 800-620 Division of	\$	5,873,604	\$ 6,189,578	8974
Administration				
5F1 800-635 Small Government Fire	\$	250,000	\$ 250,000	8975
Departments				
TOTAL GSF General Services Fund				8976
Group	\$	6,123,604	\$ 6,439,578	8977
Federal Special Revenue Fund Group				8978
348 800-622 Underground Storage	\$	195,008	\$ 195,008	8979
Tanks				
348 800-624 Leaking Underground	\$	1,850,000	\$ 1,850,000	8980
Storage Tanks				
349 800-626 OSHA Enforcement	\$	1,346,000	\$ 1,386,380	8981
TOTAL FED Federal Special Revenue				8982
Fund Group	\$	3,391,008	\$ 3,431,388	8983
State Special Revenue Fund Group				8984
4B2 800-631 Real Estate Appraisal	\$	69,870	\$ 71,267	8985
Recovery				
4H9 800-608 Cemeteries	\$	260,083	\$ 273,465	8986
4L5 800-609 Fireworks Training and	\$	10,526	\$ 10,976	8987
Education				
4X2 800-619 Financial Institutions	\$	2,020,646	\$ 2,134,754	8988
5B8 800-628 Auctioneers	\$	60,000	\$ 0	8989
5B9 800-632 PI & Security Guard	\$	1,139,377	\$ 1,188,716	8990
Provider				
5K7 800-621 Penalty Enforcement	\$	2,000	\$ 2,000	8991

543	800-602	Unclaimed	\$	5,921,792	\$	6,151,051	8992
		Funds-Operating					
543	800-625	Unclaimed Funds-Claims	\$	24,890,602	\$	25,512,867	8993
544	800-612	Banks	\$	6,346,230	\$	6,657,997	8994
545	800-613	Savings Institutions	\$	2,790,960	\$	2,894,399	8995
546	800-610	Fire Marshal	\$	10,245,737	\$	10,777,694	8996
547	800-603	Real Estate	\$	258,796	\$	264,141	8997
		Education/Research					
548	800-611	Real Estate Recovery	\$	150,000	\$	150,000	8998
549	800-614	Real Estate	\$	2,885,785	\$	3,039,837	8999
550	800-617	Securities	\$	4,611,800	\$	4,864,800	9000
552	800-604	Credit Union	\$	2,368,450	\$	2,477,852	9001
553	800-607	Consumer Finance	\$	2,830,339	\$	2,908,822	9002
556	800-615	Industrial Compliance	\$	22,176,840	\$	23,415,776	9003
6A4	800-630	Real Estate	\$	522,125	\$	548,006	9004
		Appraiser-Operating					
653	800-629	UST	\$	1,072,795	\$	1,121,632	9005
		Registration/Permit Fee					
		TOTAL SSR State Special Revenue					9006
		Fund Group	\$	90,634,753	\$	94,466,052	9007
		Liquor Control Fund Group					9008
043	800-601	Merchandising	\$	322,741,245	\$	341,222,192	9009
043	800-627	Liquor Control	\$	16,250,400	\$	15,801,163	9010
		Operating					
043	800-633	Development Assistance	\$	16,134,800	\$	16,141,100	9011
		Debt Service					
043	800-636	Revitalization Debt	\$	1,600,000	\$	6,700,000	9012
		Service					
		TOTAL LCF Liquor Control					9013
		Fund Group	\$	356,726,445	\$	379,864,455	9014
		TOTAL ALL BUDGET FUND GROUPS	\$	461,687,102	\$	489,037,810	9015

GRANTS-VOLUNTEER FIRE DEPARTMENTS 9016

The foregoing appropriation item 800-402, Grants-Volunteer 9017  
Fire Departments, shall be used to make annual grants to volunteer 9018  
fire departments of up to \$10,000, or up to \$25,000 if the 9019  
volunteer fire department provides service for an area affected by 9020  
a natural disaster. The grant program shall be administered by the 9021  
Fire Marshal under the Department of Commerce. The Fire Marshal 9022  
shall adopt rules necessary for the administration and operation 9023  
of the grant program. 9024

Notwithstanding section 3737.17 of the Revised Code, upon the 9025  
request of the Director of Commerce, the Director of Budget and 9026  
Management shall transfer \$200,000 cash in fiscal year 2002 and 9027  
\$100,000 cash in fiscal year 2003 from the State Fire Marshal Fund 9028  
(Fund 546) to the General Revenue Fund. 9029

Of the foregoing appropriation item 800-402, Grants-Volunteer 9030  
Fire Departments, \$200,000 in fiscal year 2002 shall be granted to 9031  
the Monday Creek Fire Department. 9032

LABOR AND WORKER SAFETY 9033

The Department of Commerce may designate a portion of 9034  
appropriation item 800-410, Labor and Worker Safety, to be used to 9035  
match federal funding for the OSHA on-site consultation program. 9036

SMALL GOVERNMENT FIRE DEPARTMENTS 9037

Upon the request of the Director of Commerce, the Director of 9038  
Budget and Management shall transfer \$250,000 cash in each fiscal 9039  
year from the State Fire Marshal Fund (Fund 546) within the State 9040  
Special Revenue Fund Group to the Small Government Fire 9041  
Departments Fund (Fund 5F1) within the General Services Fund 9042  
Group. 9043

Notwithstanding section 3737.17 of the Revised Code, the 9044  
foregoing appropriation item 800-635, Small Government Fire 9045

Departments, may be used to provide loans to private fire departments.	9046 9047
PENALTY ENFORCEMENT	9048
The foregoing appropriation item 800-621, Penalty Enforcement, shall be used to enforce sections 4115.03 to 4115.16 of the Revised Code.	9049 9050 9051
On July 1, 2001, or as soon thereafter as possible, the Director of Budget and Management shall transfer the cash balance in the Penalty Enforcement Fund that was in the custody of the state treasury to the Penalty Enforcement Fund (Fund 5K7) that is created in the state treasury by section 4115.10 of the Revised Code. The fund shall be used for deposit of moneys received from penalties paid under section 4115.10 of the Revised Code.	9052 9053 9054 9055 9056 9057 9058
UNCLAIMED FUNDS PAYMENTS	9059
The foregoing appropriation item 800-625, Unclaimed Funds-Claims, shall be used to pay claims pursuant to section 169.08 of the Revised Code. If it is determined that additional amounts are necessary, the amounts are appropriated.	9060 9061 9062 9063
PREDATORY LENDING ENFORCEMENT	9064
Of the foregoing appropriation item 800-607, Consumer Finance, up to \$125,000 in fiscal year 2002 and up to \$250,000 in fiscal year 2003 shall be used for the enforcement of sections 1349.25 to 1349.36 of the Revised Code.	9065 9066 9067 9068
OFFICE OF CONSUMER AFFAIRS	9069
Of the foregoing appropriation item 800-607, Consumer Finance, up to \$400,000 in fiscal year 2002 and up to \$400,000 in fiscal year 2003 shall be used by the Department of Commerce for the operation of the Office of Consumer Affairs created in section 1349.37 of the Revised Code, including outreach efforts to provide education regarding predatory lending, borrowing, and related	9070 9071 9072 9073 9074 9075

financial topics through seminars, local government grants, public 9076  
service announcements, and brochures. On or before August 1, 2002, 9077  
the Director of Budget and Management shall determine and certify 9078  
to the Director of Commerce the total amount of unexpended, 9079  
unobligated appropriations made to the Department for fiscal year 9080  
2002 for the purposes stated above. The amount so determined and 9081  
certified by the Director of Budget and Management is hereby 9082  
appropriated to appropriation item 800-607, Consumer Finance, in 9083  
addition to any other amounts appropriated for fiscal year 2003, 9084  
and is hereby earmarked for the purposes stated above. 9085

INCREASED APPROPRIATION AUTHORITY - MERCHANDISING 9086

The Director of Commerce may, upon concurrence by the 9087  
Director of Budget and Management, submit to the Controlling Board 9088  
for approval a request for increased appropriation authority for 9089  
appropriation item 800-601, Merchandising. 9090

CASH BALANCE TRANSFER 9091

On July 1, 2001, or as soon thereafter as possible, the 9092  
Director of Budget and Management shall transfer the cash balance 9093  
in the Salvage and Exchange Fund (Fund 861) to the Liquor Control 9094  
Fund (Fund 043) created in section 4301.12 of the Revised Code. 9095  
Upon the completion of the transfer, the Salvage and Exchange 9096  
Fund, which was created by the Controlling Board during the 9097  
1973-1975 biennium, is abolished. The director shall cancel any 9098  
existing encumbrances against appropriation item 800-634, Salvage 9099  
and Exchange, and reestablish them against appropriation item 9100  
800-627, Liquor Control Operating. 9101

DEVELOPMENT ASSISTANCE DEBT SERVICE 9102

The foregoing appropriation item 800-633, Development 9103  
Assistance Debt Service, shall be used to meet all payments at the 9104  
times they are required to be made during the period from July 1, 9105  
2001, to June 30, 2003, for bond service charges on obligations 9106

issued under section 166.08 of the Revised Code, but limited to 9107  
the aggregate amount of \$32,275,900. If it is determined that 9108  
additional appropriations are necessary for this purpose, such 9109  
amounts are hereby appropriated, provided that the appropriation 9110  
does not exceed \$25,000,000 in any fiscal year, except as may be 9111  
needed for payments on obligations issued to meet guarantees. The 9112  
General Assembly acknowledges that an appropriation for this 9113  
purpose is not required, but is made in this form and in ~~this act~~ 9114  
Am. Sub. H.B. 94 of the 124th General Assembly for record purposes 9115  
only. 9116

REVITALIZATION DEBT SERVICE 9117

The foregoing appropriation item 800-636, Revitalization Debt 9118  
Service, shall be used to pay debt service and related financing 9119  
costs during the period from July 1, 2001, to June 30, 2003, on 9120  
obligations to be issued for revitalization purposes under Section 9121  
2o of Article VIII, Ohio Constitution, and implementing 9122  
legislation. If it is determined that additional appropriations 9123  
are necessary for this purpose, such amounts are hereby 9124  
appropriated. The General Assembly acknowledges: (A) the priority 9125  
of the pledge of a portion of receipts from that source to 9126  
obligations issued and to be issued and guarantees made and to be 9127  
made under Chapter 166. of the Revised Code; and (B) that ~~this~~ 9128  
~~appropriation is subject to further consideration pursuant to~~ 9129  
~~implementing legislation~~ an appropriation for this purpose is not 9130  
required, but is made in this form and in this act for record 9131  
purposes only. 9132

ADMINISTRATIVE ASSESSMENTS 9133

Notwithstanding any other provision of law to the contrary, 9134  
Fund 163, Administration, shall receive assessments from all 9135  
operating funds of the department in accordance with procedures 9136  
prescribed by the Director of Commerce and approved by the 9137  
Director of Budget and Management." 9138

**Section 66.** That existing Section 32 of Am. Sub. H.B. 94 of the 124th General Assembly, as amended by Sub. H.B. 386 of the 124th General Assembly, is hereby repealed.

**Section 67.** That Section 45 of Am. Sub. H.B. 94 of the 124th General Assembly, as amended by Am. Sub. H.B. 405 of the 124th General Assembly, be amended to read as follows:

**"Sec. 45. OEB OHIO EDUCATIONAL TELECOMMUNICATIONS NETWORK COMMISSION**

General Revenue Fund

GRF 374-100	Personal Services	\$	1,585,648	\$	1,705,463	9148
GRF 374-200	Maintenance	\$	902,477	\$	891,968	9149
GRF 374-300	Equipment	\$	46,760	\$	45,313	9150
GRF 374-401	Statehouse News Bureau	\$	253,175	\$	245,344	9151
GRF 374-402	Ohio Government	\$	403,026	\$	910,296	9152

Telecommunications

Studio

<u>GRF 374-403</u>	<u>Ohio SONET</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>2,840,609</u>	9153
--------------------	-------------------	-----------	----------	-----------	------------------	------

GRF 374-404	Telecommunications	\$	5,239,754	\$	5,051,174	9154
-------------	--------------------	----	-----------	----	-----------	------

Operating Subsidy

TOTAL GRF General Revenue Fund	\$	8,430,840	\$	<del>8,849,558</del>	9155
--------------------------------	----	-----------	----	----------------------	------

11,690,167 9156

General Services Fund Group 9157

4F3 374-603	Affiliate Services	\$	2,941,810	\$	3,067,586	9158
-------------	--------------------	----	-----------	----	-----------	------

4T2 374-605	Government	\$	75,000	\$	150,000	9159
-------------	------------	----	--------	----	---------	------

Television/Telecommunications

Operating

TOTAL GSF General Services Fund Group 9160

Fund Group	\$	3,016,810	\$	3,217,586	9161
------------	----	-----------	----	-----------	------

TOTAL ALL BUDGET FUND GROUPS	\$	11,447,650	\$	<del>12,067,144</del>	9162
------------------------------	----	------------	----	-----------------------	------

14,907,753 9163

STATEHOUSE NEWS BUREAU 9164

The foregoing appropriation item 374-401, Statehouse News 9165  
Bureau, shall be used solely to support the operations of the Ohio 9166  
Statehouse News Bureau. 9167

OHIO GOVERNMENT TELECOMMUNICATIONS STUDIO 9168

The foregoing appropriation item 374-402, Ohio Government 9169  
Telecommunications Studio, shall be used solely to support the 9170  
operations of the Ohio Government Telecommunications Studio. 9171

OHIO SONET 9172

The foregoing appropriation item 374-403, Ohio SONET, shall 9173  
be used by the Ohio Educational Telecommunications Network 9174  
Commission to pay monthly operating expenses and maintenance of 9175  
the television and radio transmission infrastructure. 9176

TELECOMMUNICATIONS OPERATING SUBSIDY 9177

The foregoing appropriation item 374-404, Telecommunications 9178  
Operating Subsidy, shall be distributed by the Ohio Educational 9179  
Telecommunications Network Commission to Ohio's qualified public 9180  
educational television stations, radio reading services, and 9181  
educational radio stations to support their operations. The funds 9182  
shall be distributed pursuant to an allocation developed by the 9183  
Ohio Educational Telecommunications Network Commission. 9184

GOVERNMENT TELEVISION/TELECOMMUNICATIONS OPERATING 9185

Beginning on January 1, 2002, General Service Fund 4T2, 9186  
Government Television/Telecommunications Operating, currently 9187  
under the direction of the Capital Square Review and Advisory 9188  
Board, shall be transferred to the Ohio Educational 9189  
Telecommunications Network Commission. The Director of Budget and 9190  
Management shall transfer, by January 15, 2002, all remaining 9191  
balances in General Services Fund 4T2, Government 9192  
Television/Telecommunications Operating, in the Capital Square 9193

Review and Advisory Board to General Services Fund 4T2, Government  
Television/Telecommunications Operating, in the Ohio Educational  
Telecommunications Network Commission. General Services Fund 4T2,  
Government Television/Telecommunications Operating, is hereby  
created in the Ohio Educational Telecommunications Network  
Commission."

**Section 68.** That existing Section 45 of Am. Sub. H.B. 94 of  
the 124th General Assembly, as amended by Am. Sub. H.B. 405 of the  
124th General Assembly, is hereby repealed.

**Section 69.** That Section 56.01 of Am. Sub. H.B. 94 of the  
124th General Assembly, as amended by Am. Sub. H.B. 299 of the  
124th General Assembly, be amended to read as follows:

**"Sec. 56.01. HEMOPHILIA SERVICES**

Of the foregoing appropriation item 440-406, Hemophilia  
Services, \$205,000 in each fiscal year shall be used to implement  
the Hemophilia Insurance Pilot Project.

Of the foregoing appropriation item 440-406, Hemophilia  
Services, up to \$245,000 in each fiscal year shall be used by the  
Department of Health to provide grants to the nine hemophilia  
treatment centers to provide prevention services for persons with  
hemophilia and their family members affected by AIDS and other  
bloodborne pathogens.

**CANCER REGISTRY SYSTEM**

Of the foregoing appropriation item 440-412, Cancer Incidence  
Surveillance System, \$50,000 in each fiscal year shall be provided  
to the Northern Ohio Cancer Resource Center.

The remaining moneys in appropriation item 440-412, Cancer  
Incidence Surveillance System, shall be used to maintain and

operate the Ohio Cancer Incidence Surveillance System pursuant to 9222  
sections 3701.261 to 3701.263 of the Revised Code. 9223

No later than March 1, 2002, the Ohio Cancer Incidence 9224  
Surveillance Advisory Board shall report to the General Assembly 9225  
on the effectiveness of the cancer incidence surveillance system 9226  
and the partnership between the Department of Health and the 9227  
Arthur G. James Cancer Hospital and Richard J. Solove Research 9228  
Institute of The Ohio State University. 9229

CHILD AND FAMILY HEALTH SERVICES 9230

Of the foregoing appropriation item 440-416, Child and Family 9231  
Health Services, \$1,700,000 in each fiscal year shall be used for 9232  
family planning services. None of the funds received through these 9233  
family planning grants shall be used to provide abortion services. 9234  
None of the funds received through these family planning grants 9235  
shall be used for counseling for or referrals for abortion, except 9236  
in the case of a medical emergency. These funds shall be 9237  
distributed on the basis of the relative need in the community 9238  
served by the Director of Health to family planning programs, 9239  
which shall include family planning programs funded under Title V 9240  
of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 9241  
301, as amended, and Title X of the "Public Health Services Act," 9242  
58 Stat. 682 (1946), 42 U.S.C.A. 201, as amended, as well as to 9243  
other family planning programs that the Department of Health also 9244  
determines will provide services that are physically and 9245  
financially separate from abortion-providing and 9246  
abortion-promoting activities, and that do not include counseling 9247  
for or referrals for abortion, other than in the case of medical 9248  
emergency, with state moneys, but that otherwise substantially 9249  
comply with the quality standards for such programs under Title V 9250  
and Title X. 9251

The Director of Health, by rule, shall provide reasonable 9252  
methods by which a grantee wishing to be eligible for federal 9253

funding may comply with these requirements for state funding 9254  
without losing its eligibility for federal funding, while ensuring 9255  
that a family planning program receiving a family planning grant 9256  
must be organized so that it is physically and financially 9257  
separate from the provision of abortion services and from 9258  
activities promoting abortion as a method of family planning. 9259

Of the foregoing appropriation item 440-416, Child and Family 9260  
Health Services, \$150,000 in each fiscal year shall be used to 9261  
provide malpractice insurance for physicians and other health 9262  
professionals providing prenatal services in programs funded by 9263  
the Department of Health. 9264

Of the foregoing appropriation item 440-416, Child and Family 9265  
Health Services, \$279,000 shall be used in each fiscal year for 9266  
the OPTIONS dental care access program. 9267

Of the foregoing appropriation item 440-416, Child and Family 9268  
Health Services, \$600,000 in each fiscal year shall be used by 9269  
local child and family health services clinics to provide services 9270  
to uninsured low-income persons. 9271

Of the foregoing appropriation item 440-416, Child and Family 9272  
Health Services, \$900,000 in each fiscal year shall be used by 9273  
federally qualified health centers and federally designated 9274  
look-alikes to provide services to uninsured low-income persons. 9275

Of the foregoing appropriation item 440-416, Child and Family 9276  
Health Services, \$50,000 in each fiscal year shall be used for the 9277  
Tree of Knowledge Learning Center in Cleveland Heights. 9278

Of the foregoing appropriation item 440-416, Child and Family 9279  
Health Services, \$25,000 in fiscal year 2002 shall be provided to 9280  
the Suicide Prevention Program of Clermont County. 9281

Of the foregoing appropriation item 440-416, Child and Family 9282  
Health Services, \$50,000 in fiscal year 2002 shall be provided to 9283  
the Discover Health Project. 9284

Of the foregoing appropriation item 440-416, Child and Family Health Services, \$75,000 in fiscal year 2002 shall be provided to the Mayerson Center. 9285  
9286  
9287

Of the foregoing appropriation item 440-416, Child and Family Health Services, \$50,000 in fiscal year 2002 shall be provided to the Central Clinic at the University of Cincinnati. 9288  
9289  
9290

IMMUNIZATIONS 9291

Of the foregoing appropriation item 440-418, Immunizations, \$125,000 per fiscal year shall be used to provide vaccinations for Hepatitis B to all qualified underinsured students in the seventh grade who have not been previously immunized. 9292  
9293  
9294  
9295

Of the foregoing appropriation item 440-418, Immunizations, up to \$25,000 in each fiscal year shall be used to provide vaccinations for pneumococcal disease for children between the ages of two and five. 9296  
9297  
9298  
9299

SEXUAL ASSAULT PREVENTION AND INTERVENTION 9300

The foregoing appropriation item 440-419, Sexual Assault Prevention and Intervention, shall be used for the following purposes: 9301  
9302  
9303

(A) Funding of new services in counties with no services for sexual assault; 9304  
9305

(B) Expansion of services provided in currently funded projects so that comprehensive crisis intervention and prevention services are offered; 9306  
9307  
9308

(C) Start-up funding for Sexual Assault Nurse Examiner (SANE) projects; 9309  
9310

(D) Statewide expansion of local outreach and public awareness efforts. 9311  
9312

HIV/AIDS PREVENTION/TREATMENT 9313

Of the foregoing appropriation item 440-444, AIDS Prevention and Treatment, \$6.7 million in fiscal year 2002 and \$7.1 million in fiscal year 2003 shall be used to assist persons with HIV/AIDS in acquiring HIV-related medications.

The HIV Drug Assistance Program is pursuant to section 3701.241 of the Revised Code and Title XXVI of the "Public Health Services Act," 104 Stat. 576 (1990), 42 U.S.C.A. 2601, as amended. The Department of Health may adopt rules pursuant to Chapter 119. of the Revised Code as necessary for the administration of the program.

INFECTIOUS DISEASE PREVENTION

Notwithstanding section 339.77 of the Revised Code, \$60,000 of the foregoing appropriation item 440-446, Infectious Disease Prevention, shall be used by the Director of Health to reimburse Boards of County Commissioners for the cost of detaining indigent persons with tuberculosis. Any portion of the \$60,000 allocated for detainment not used for that purpose shall be used to make payments to counties pursuant to section 339.77 of the Revised Code.

Of the foregoing appropriation item 440-446, Infectious Disease Prevention, ~~\$200,000~~ \$335,000 in each fiscal year shall be used for the purchase of drugs for sexually transmitted diseases.

HELP ME GROW

The foregoing appropriation item 440-459, Help Me Grow, shall be used by the Department of Health to distribute subsidies to counties to implement ~~section 3701.61 of the Revised Code~~ the Help Me Grow program. Appropriation item 440-459 may be used in conjunction with Temporary Assistance for Needy Families from the Department of Job and Family Services, Even Start from the Department of Education, and in conjunction with other early childhood funds and services to promote the optimal development of

young children. Local contacts shall be developed between local 9345  
departments of job and family services and family and children 9346  
first councils for the administration of TANF funding for the Help 9347  
Me Grow Program. The Department of Health shall enter into an 9348  
interagency agreement with the Department of Education to 9349  
coordinate the planning, design, and grant selection process for 9350  
any new Even Start grants and to ensure that all new and existing 9351  
programs within Help Me ~~grow~~ Grow are school linked. 9352

POISON CONTROL NETWORK 9353

The foregoing appropriation item 440-504, Poison Control 9354  
Network, shall be used in each fiscal year by the Department of 9355  
Health for grants to the consolidated Ohio Poison Control Center 9356  
to provide poison control services to Ohio citizens. 9357

TANF FAMILY PLANNING 9358

The Director of Budget and Management shall transfer by 9359  
intrastate transfer voucher, no later than the fifteenth day of 9360  
July of each fiscal year, cash from the General Revenue Fund, 9361  
appropriation item 600-410, TANF State, to General Services Fund 9362  
5C1 in the Department of Health, in an amount of \$250,000 in each 9363  
fiscal year for the purpose of family planning services for 9364  
children or their families whose income is at or below 200 per 9365  
cent of the official poverty guideline. 9366

As used in this section, "poverty guideline" means the 9367  
official poverty guideline as revised annually by the United 9368  
States Secretary of Health and Human Services in accordance with 9369  
section 673 of the "Community Services Block Grant Act," 95 Stat. 9370  
511 (1981), 42 U.S.C.A. 9902, as amended, for a family size equal 9371  
to the size of the family of the person whose income is being 9372  
determined. 9373

MATERNAL CHILD HEALTH BLOCK GRANT 9374

Of the foregoing appropriation item 440-601, Maternal Child 9375

Health Block Grant (Fund 320), \$2,091,299 shall be used in each 9376  
fiscal year for the purposes of abstinence-only education. The 9377  
Director of Health shall develop guidelines for the establishment 9378  
of abstinence programs for teenagers with the purpose of 9379  
decreasing unplanned pregnancies and abortion. Such guidelines 9380  
shall be pursuant to Title V of the "Social Security Act," 42 9381  
U.S.C.A. 510, and shall include, but are not limited to, 9382  
advertising campaigns and direct training in schools and other 9383  
locations. 9384

A portion of the foregoing appropriation item 440-601, 9385  
Maternal Child Health Block Grant (Fund 320), may be used to 9386  
ensure that current information on sudden infant death syndrome is 9387  
available for distribution by local health districts. 9388

TITLE XX TRANSFER 9389

Of the foregoing appropriation item 440-611, Title XX 9390  
Transfer (Fund 3W5), \$500,000 in each fiscal year, to the extent 9391  
funds are available based on deposits made pursuant to Section 9392  
63.09 of ~~this act~~ Am. Sub. H.B. 94 of the 124th General Assembly, 9393  
shall be used for the purposes of abstinence-only education. The 9394  
Director of Health shall develop guidelines for the establishment 9395  
of abstinence programs for teenagers with the purpose of 9396  
decreasing unplanned pregnancies and abortion. The guidelines 9397  
shall be developed pursuant to Title V of the "Social Security 9398  
Act," 42 U.S.C. 510, and shall include, but are not to be limited 9399  
to, advertising campaigns and direct training in schools and other 9400  
locations. 9401

GENETICS SERVICES 9402

The foregoing appropriation item 440-608, Genetics Services 9403  
(Fund 4D6), shall be used by the Department of Health to 9404  
administer programs authorized by sections 3701.501 and 3701.502 9405  
of the Revised Code. None of these funds shall be used to counsel 9406

or refer for abortion, except in the case of a medical emergency.	9407
SICKLE CELL FUND	9408
The foregoing appropriation item 440-610, Sickle Cell Disease Control (Fund 4F9), shall be used by the Department of Health to administer programs authorized by section 3701.131 of the Revised Code. The source of the funds is as specified in section 3701.23 of the Revised Code.	9409 9410 9411 9412 9413
SAFETY AND QUALITY OF CARE STANDARDS	9414
The Department of Health may use Fund 471, Certificate of Need, for administering sections 3702.11 to 3702.20 and 3702.30 of the Revised Code in each fiscal year.	9415 9416 9417
MEDICALLY HANDICAPPED CHILDREN AUDIT	9418
The Medically Handicapped Children Audit Fund (Fund 477) shall receive revenue from audits of hospitals and recoveries from third-party payors. Moneys may be expended for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payors and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits. Moneys also may be expended for payments for diagnostic and treatment services on behalf of medically handicapped children, as defined in division (A) of section 3701.022 of the Revised Code, and Ohio residents who are twenty-one or more years of age and who are suffering from cystic fibrosis. Moneys may also be expended for administrative expenses incurred in operating the Medically Handicapped Children's Program.	9419 9420 9421 9422 9423 9424 9425 9426 9427 9428 9429 9430 9431
CASH TRANSFER FROM LIQUOR CONTROL FUND TO ALCOHOL TESTING AND PERMIT FUND	9432 9433
The Director of Budget and Management, pursuant to a plan submitted by the Department of Health, or as otherwise determined by the Director of Budget and Management, shall set a schedule to	9434 9435 9436

transfer cash from the Liquor Control Fund (Fund 043) to the 9437  
Alcohol Testing and Permit Fund (Fund 5C0) to meet the operating 9438  
needs of the Alcohol Testing and Permit program. 9439

The Director of Budget and Management shall transfer to the 9440  
Alcohol Testing and Permit Fund (Fund 5C0) from the Liquor Control 9441  
Fund (Fund 043) established in section 4301.12 of the Revised Code 9442  
such amounts at such times as determined by the transfer schedule. 9443

**MEDICALLY HANDICAPPED CHILDREN - COUNTY ASSESSMENTS** 9444

The foregoing appropriation item 440-607, Medically 9445  
Handicapped Children - County Assessments (Fund 666), shall be 9446  
used to make payments pursuant to division (E) of section 3701.023 9447  
of the Revised Code." 9448

**Section 70.** That existing Section 56.01 of Am. Sub. H.B. 94 9449  
of the 124th General Assembly, as amended by Am. Sub. H.B. 299 of 9450  
the 124th General Assembly, is hereby repealed. 9451

**Section 71.** That Section 63.09 of Am. Sub. H.B. 94 of the 9452  
124th General Assembly, as most recently amended by Am. Sub. H.B. 9453  
405 of the 124th General Assembly, be amended to read as follows: 9454

**"Sec. 63.09. TANF** 9455

**TANF COUNTY INCENTIVES** 9456

Of the foregoing appropriation item 600-689, TANF Block 9457  
Grant, the Department of Job and Family Services may provide 9458  
financial incentives to those county departments of job and family 9459  
services that have exceeded performance standards adopted by the 9460  
state department, and where the board of county commissioners has 9461  
entered into a written agreement with the state department under 9462  
section 5101.21 of the Revised Code governing the administration 9463  
of the county department. Any financial incentive funds provided 9464

pursuant to this division shall be used by the county department 9465  
for additional or enhanced services for families eligible for 9466  
assistance under Chapter 5107. or benefits and services under 9467  
Chapter 5108. of the Revised Code or, on request by the county and 9468  
approval by the Department of Job and Family Services, be 9469  
transferred to the Child Care and Development Fund or the Social 9470  
Services Block Grant. The county departments of job and family 9471  
services may retain and expend such funds without regard to the 9472  
state or county fiscal year in which the financial incentives were 9473  
earned or paid. Each county department of job and family services 9474  
shall file an annual report with the Department of Job and Family 9475  
Services providing detailed information on the expenditure of 9476  
these financial incentives and an evaluation of the effectiveness 9477  
of the county department's use of these funds in achieving 9478  
self-sufficiency for families eligible for assistance under 9479  
Chapter 5107. or benefits and services under Chapter 5108. of the 9480  
Revised Code. 9481

TANF YOUTH DIVERSION PROGRAMS 9482

Of the foregoing appropriation item 600-689, TANF Block 9483  
Grant, \$19,500,000 in each fiscal year shall be allocated by the 9484  
Department of Job and Family Services to the counties according to 9485  
the allocation formula established in division (D) of section 9486  
5101.14 of the Revised Code. Of the funds allocated to each 9487  
county, up to half may be used for contract services for unruly 9488  
and misdemeanor diversionary programs. 9489

The remaining funds not allocated for use in juvenile 9490  
diversion activities may be used by the county for other contract 9491  
child welfare services. In counties with separate departments of 9492  
job and family services and public children services agencies, the 9493  
county department of job and family services shall serve as a pass 9494  
through to the public children services agencies for these funds. 9495  
Separate public children services agencies receiving such funds 9496

shall comply with all TANF requirements, including reporting 9497  
requirements and timelines, as specified in state and federal 9498  
laws, federal regulations, state rules, and the Title IV-A state 9499  
plan, and are responsible for payment of any adverse audit 9500  
finding, final disallowance of federal financial participation, or 9501  
other sanction or penalty issued by the federal government or 9502  
other entity concerning these funds. 9503

Of the foregoing \$19,500,000 set aside, any funds remaining 9504  
unspent on June 30, 2002, shall be carried forward and added to 9505  
the earmark for fiscal year 2003, and allocated to the counties 9506  
according to the allocation formula established in division (D) of 9507  
section 5101.14 of the Revised Code. 9508

KINSHIP NAVIGATORS 9509

Of the foregoing appropriation item 600-689, TANF Block 9510  
Grant, up to \$3 million in each fiscal year shall be allocated by 9511  
the Department of Job and Family Services to county departments of 9512  
job and family services for the purpose of making allocations to 9513  
local public children services agencies to provide services in the 9514  
Kinship Navigation program. The allocation to county departments 9515  
of job and family services shall be based on the number of Ohio 9516  
works first cases in the county, and the number of children 9517  
seventeen years of age or younger in the county. The Department of 9518  
Job and Family Services shall develop an appropriate method of 9519  
reallocating these funds in each fiscal year among the county 9520  
departments of job and family services, if they would otherwise be 9521  
unspent. 9522

TANF FAITH-BASED AND NON-PROFIT CAPACITY-BUILDING PROGRAMS 9523

From the foregoing appropriation item 600-689, TANF Block 9524  
Grant, up to \$1,000,000 in each fiscal year shall be used to 9525  
support capacity-building efforts among faith-based and non-profit 9526  
organizations, for the purpose of providing allowable services to 9527

TANF-eligible individuals. Organizations receiving these funds 9528  
shall comply with all TANF requirements, and shall agree with the 9529  
Department of Job and Family Services on reporting requirements to 9530  
be incorporated into the grant agreement. 9531

TANF EDUCATION 9532

There is hereby established the Title IV-A Education Program 9533  
to be administered by the Department of Education in accordance 9534  
with an interagency agreement entered into with the Department of 9535  
Job and Family Services under division (A)(2) of section 5101.801 9536  
of the Revised Code. The program shall provide benefits and 9537  
services to TANF eligible individuals with incomes at or below 200 9538  
per cent of the federal poverty guidelines under a Title IV-A 9539  
program pursuant to the requirements of section 5101.801 of the 9540  
Revised Code. Upon approval by the Department of Job and Family 9541  
Services, the Department of Education shall adopt policies and 9542  
procedures establishing program requirements for eligibility, 9543  
services, fiscal accountability, and other criteria necessary to 9544  
comply with the provisions of Title IV-A of the "Social Security 9545  
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended. 9546

The Department of Job and Family Services shall reimburse the 9547  
General Revenue Fund through intrastate transfer vouchers for 9548  
allowable Title IV-A Head Start expenditures reported by the 9549  
Department of Education in fiscal year 2002 during the fiscal year 9550  
2002-2003 biennium by amounts up to \$76,156,175 an amount not to 9551  
exceed \$175,000,000 from Fund 3V6, TANF Block Grant, ~~and in fiscal~~ 9552  
~~year 2003, up to \$98,843,825 from Fund 3V6, TANF Block Grant.~~ The 9553  
Department of Job and Family Services shall reimburse the General 9554  
Revenue Fund through intrastate transfer vouchers for allowable 9555  
Title IV-A student intervention services expenditures in fiscal 9556  
year 2003 up to \$35,000,000 from Fund 3V6, TANF Block Grant. 9557

COUNTY DEPARTMENTS OF JOB AND FAMILY SERVICES TITLE IV-A 9558  
ADULT LITERACY AND CHILD READING PROGRAMS 9559

There is hereby established the Title IV-A Adult Literacy and Child Reading Program to be administered by the county departments of job and family services in accordance with division (B)(1) of section 5101.801 of the Revised Code. The program shall provide benefits and services to TANF-eligible individuals with incomes at or below 200 per cent of the federal poverty guidelines under a Title IV-A program pursuant to the requirements of section 5101.801 of the Revised Code. The county departments of job and family services shall ensure program requirements for eligibility, services, fiscal accountability, and other criteria necessary to comply with the provisions of Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended, and ensure that benefits and services are allowable uses of federal Title IV-A funds as specified in 42 U.S.C.A. 604(a), except that they may not be "assistance" as defined in 45 C.F.R. 260.31(a). The benefits and services shall be benefits and services that 45 C.F.R. 260.31(b) excludes from the definition of "assistance." From the foregoing appropriation item 600-689, TANF Block Grant, up to \$5,000,000 in each fiscal year shall be used to support local adult literacy and child reading programs.

TALBERT HOUSE

In each fiscal year, the Director of Job and Family Services shall provide \$100,500 from appropriation item 600-689, TANF Block Grant, to the Hamilton County Department of Job and Family Services to contract with the Talbert House for the purpose of providing allowable services to TANF-eligible individuals with incomes at or below 200 per cent of the federal poverty guidelines. The contract between the Hamilton County Department of Job and Family Services and the Talbert House shall establish conditions for the reimbursement of allowable Title IV-A expenditures for services that are allowable uses of federal Title IV-A funds as specified in 42 U.S.C.A. 604(a), except that they

may not be "assistance" as defined in 45 C.F.R. 260.31(a). The 9592  
benefits and services shall be benefits and services that 45 9593  
C.F.R. 260.31(b) excludes from the definition of "assistance." The 9594  
contract shall also require Talbert House to comply with 9595  
requirements of Title IV-A of the "Social Security Act," 110 Stat. 9596  
2113 (1996), 42 U.S.C. 601, as amended, including eligibility of 9597  
individuals, reporting requirements, allowable benefits and 9598  
services, use of funds, and audit requirements, as specified in 9599  
state and federal laws, federal regulations, state rules, federal 9600  
Office of Management and Budget circulars, and the Title IV-A 9601  
state plan. 9602

MONTGOMERY COUNTY OUT-OF-SCHOOL YOUTH PROJECT 9603

In each fiscal year, the Director of Job and Family Services 9604  
shall provide \$1,000,000 from appropriation item 600-689, TANF 9605  
Block Grant, to the Montgomery County Department of Job and Family 9606  
Services to be used to support the Out-of-School Youth Project in 9607  
Montgomery County for the purpose of providing allowable services 9608  
to TANF-eligible individuals. The Montgomery County Department of 9609  
Job and Family Services and the Sinclair Community College shall 9610  
comply with all TANF requirements, including reporting 9611  
requirements and timelines, as specified in state and federal 9612  
laws, federal regulations, state rules, and the Title IV-A state 9613  
plan. 9614

APPALACHIAN TECHNOLOGY AND WORKFORCE DEVELOPMENT 9615

From the foregoing appropriation item 600-689, TANF Block 9616  
Grant, the Director of Job and Family Services shall provide up to 9617  
\$15,000,000 to be awarded to the county departments of job and 9618  
family services in the twenty-nine Appalachian counties. Each 9619  
county shall be eligible to apply for an initial grant, or grants, 9620  
the cumulative amount of which shall not exceed \$500,000 per 9621  
county. These funds shall be used by the county departments of job 9622  
and family services in coordination with the Governor's Office of 9623

Appalachia, the Governor's Regional Economic Office, and local  
development districts. These funds shall be used for the following  
eligible activities: workforce development and supportive  
services; microenterprise development and other entrepreneurship  
activities; technology expansion, technical assistance, and  
training; youth job training; and improving existing technology  
centers, job creation and retention, purchasing technology, and  
technology upgrades. The funds may be used to leverage other state  
and local funds for eligible activities.

As a condition on the use of these funds, each county  
department of job and family services shall have a committee that  
shall submit a plan for the intended use of these funds to the  
Governor's Office of Appalachia. The plan shall be reviewed by the  
Governor's Office of Appalachia, which may approve or disapprove  
the plan in whole or in part. The Governor's Office of Appalachia  
shall forward each final, approved plan to the Department of Job  
and Family Services. The plan must be developed and submitted by a  
county committee that includes, at a minimum, a county  
commissioner; a mayor of a municipality in the county; an economic  
development official from the county, local political subdivision,  
or development district; a representative of a chamber of commerce  
or a port authority in the county; a local or regional community  
action representative; and a representative from the county  
department of job and family services.

The Governor's Office of Appalachia shall develop guidelines  
for the submission and approval of plans, guidelines for quarterly  
monitoring and reporting on program activities after funds are  
awarded, and any other guidelines necessary for the administration  
of the program. The Department of Job and Family Services shall  
provide technical assistance and advice to the Governor's Office  
of Appalachia to facilitate the administration of the funds. The

Governor's Office of Appalachia shall develop guidelines for the 9656  
reallocation of unawarded funds. 9657

Also as a condition on the use of these funds, each county 9658  
shall acknowledge that these funds are a one-time allocation, not 9659  
intended to fund services beyond June 30, 2003. 9660

In fiscal year 2002, the TANF allocation to each of the 9661  
Appalachian counties shall not be less than the TANF allocation 9662  
amount for fiscal year 2001, as allocated according to the 9663  
methodology set forth in paragraph (I) of rule 5101-6-03 of the 9664  
Administrative Code. 9665

The use of these funds shall comply with all TANF 9666  
requirements, including reporting requirements and timelines, as 9667  
specified in state and federal laws, federal regulations, state 9668  
rules, and the Title IV-A state plan. 9669

CENTER FOR FAMILY AND CHILDREN 9670

Of the foregoing appropriation item 600-689, TANF Block 9671  
Grant, \$150,000 in fiscal year 2002 shall be provided to the 9672  
Center for Family and Children. 9673

TANF FAMILY PLANNING 9674

The Director of Budget and Management shall transfer by 9675  
intrastate voucher, no later than the fifteenth day of July of 9676  
each fiscal year, cash from the General Revenue Fund, 9677  
appropriation item 600-410, TANF State, to General Services Fund 9678  
5C1 in the Department of Health, in an amount of \$250,000 in each 9679  
fiscal year for the purpose of family planning services for 9680  
children or their families whose income is at or below 200 per 9681  
cent of the official poverty guideline. 9682

TANF FEDERAL BLOCK GRANT FUNDS AND TRANSFERS 9683

From the foregoing appropriation items 600-410, TANF State; 9684  
600-658, Child Support Collections; or 600-689, TANF Block Grant, 9685

or a combination of these appropriation items, no less than 9686  
\$369,040,735 in each fiscal year shall be allocated to county 9687  
departments of job and family services as follows: 9688

County Allocations	\$276,586,957	9689
WIA Supplement	\$35,109,178	9690
Early Start - Statewide	\$38,034,600	9691
Transportation	\$5,000,000	9692
County Training	\$3,050,000	9693
Adult Literacy and Child		9694
Reading Programs	\$5,000,000	9695
Disaster Relief	\$5,000,000	9696
School Readiness Centers	\$1,260,000	9697

Upon the request of the Department of Job and Family 9698  
Services, the Director of Budget and Management may seek 9699  
Controlling Board approval to increase appropriations in 9700  
appropriation item 600-689, TANF Block Grant, provided sufficient 9701  
Federal TANF Block Grant funds exist to do so, without any 9702  
corresponding decrease in other appropriation items. The 9703  
Department of Job and Family Services shall provide the Office of 9704  
Budget and Management and the Controlling Board with documentation 9705  
to support the need for the increased appropriation. 9706

All transfers of moneys from or charges against TANF Federal 9707  
Block Grant awards for use in the Social Services Block Grant or 9708  
the Child Care and Development Block Grant from either unobligated 9709  
prior year appropriation authority in appropriation item 400-411, 9710  
TANF Federal Block Grant, or 600-411, TANF Federal Block Grant, or 9711  
from fiscal year 2002 and fiscal year 2003 appropriation authority 9712  
in item 600-689, TANF Block Grant, shall be done ten days after 9713  
the Department of Job and Family Services gives written notice to 9714  
the Office of Budget and Management. The Department of Job and 9715  
Family Services shall first provide the Office of Budget and 9716  
Management with documentation to support the need for such 9717

transfers or charges for use in the Social Services Block Grant or 9718  
in the Child Care and Development Block Grant. 9719

The Department of Job and Family Services shall in each 9720  
fiscal year of the biennium transfer the maximum amount of funds 9721  
from the federal TANF Block Grant to the federal Social Services 9722  
Block Grant as permitted under federal law. Not later than July 9723  
15, 2001, the Department of Job and Family Services shall draw 9724  
\$60,000,000 in receipts from TANF funds that were transferred into 9725  
the Social Services Block Grant into State Special Revenue Fund 9726  
5Q8, in the Office of Budget and Management. Not later than June 9727  
1, 2002, the Director of Budget and Management shall determine the 9728  
amount of funds in State Special Revenue Fund 5Q8 that is needed 9729  
for the purpose of balancing the General Revenue Fund, and may 9730  
transfer that amount to the General Revenue Fund. Not later than 9731  
June 1, 2003, the Director of Budget and Management shall 9732  
determine the amount of funds in State Special Revenue Fund 5Q8 9733  
that is needed for the purpose of balancing the General Revenue 9734  
Fund, and may transfer that amount to the General Revenue Fund. 9735  
Any moneys remaining in State Special Revenue Fund 5Q8 on June 15, 9736  
2003, shall be transferred not later than June 20, 2003, to Fund 9737  
3V6, TANF Block Grant, in the Department of Job and Family 9738  
Services. 9739

Before the thirtieth day of September of each fiscal year, 9740  
the Department of Job and Family Services shall file claims with 9741  
the United States Department of Health and Human Services for 9742  
reimbursement for all allowable expenditures for services provided 9743  
by the Department of Job and Family Services, or other agencies 9744  
that may qualify for Social Services Block Grant funding pursuant 9745  
to Title XX of the Social Security Act. The Department of Job and 9746  
Family Services shall deposit, into Fund 5E6, State Option Food 9747  
Stamps, \$6 million, into Fund 5P4, TANF Child Welfare, \$7.5 9748  
million, into Fund 3W5, Health Care Services, \$500,000, into Fund 9749

3W8, Hippy Program, \$62,500, and into Fund 3W9, Adoption 9750  
Connection, \$50,000 and deposit in fiscal year 2002, into Fund 9751  
3W2, Title XX Vocational Rehabilitation, \$600,000, into Fund 162 9752  
in the Department of Natural Resources, \$7,885,349, and into Fund 9753  
3W3, Adult Special Needs, \$4,720,227 in receipts from TANF Block 9754  
Grant funds credited to the Social Services Block Grant. In fiscal 9755  
year 2003, if, pursuant to federal law, the state is allowed to 9756  
transfer up to 10 per cent of the TANF block grant and no less 9757  
than \$72,796,826 for the purposes of reimbursing allowable 9758  
expenditures for services provided by the Department of Job and 9759  
Family Services, or other agencies that may qualify for Social 9760  
Services Block Grant funding pursuant to Title XX of the Social 9761  
Security Act, then the Department of Job and Family Services shall 9762  
deposit \$6 million into Fund 5E6, State Option Food Stamps, \$7.5 9763  
million into Fund 5P4 TANF Child Welfare, \$897,052 into Fund 3W2, 9764  
Title XX Vocational Rehabilitation, and \$500,000 into Fund 3W5, 9765  
Health Care Services. To the extent that the amount allowed to be 9766  
transferred is less than the \$72,796,826, then the amounts 9767  
deposited into the above funds shall be reduced proportionally. On 9768  
verification of the receipt of the above revenue, the funds 9769  
provided by these transfers shall be used as follows: 9770

Fund 5E6 9771

Second Harvest Food Bank in fiscal year 2002	\$4,500,000	9772
Second Harvest Food Bank in fiscal year 2003	\$4,500,000	9773
Child Nutrition Services in fiscal year 2002	\$900,000	9774
Child Nutrition Services in fiscal year 2003	\$900,000	9775
Ohio Alliance of Boys and Girls Clubs		9776
in fiscal year 2002	\$600,000	9777
Ohio Alliance of Boys and Girls Clubs		9778
in fiscal year 2003	\$600,000	9779

Fund 5P4 9780

Support and Expansion for PCSA Activities		9781
in fiscal year 2002	\$5,500,000	9782

Support and Expansion for PCSA Activities		9783
in fiscal year 2003	\$5,500,000	9784
Pilot Projects for Violent and Aggressive Youth		9785
in fiscal year 2002	\$2,000,000	9786
Pilot Projects for Violent and Aggressive Youth		9787
in fiscal year 2003	\$2,000,000	9788
Fund 3W2		9789
Title XX Vocational Rehabilitation		9790
in fiscal year 2002	\$600,000	9791
Fund 3W3		9792
Adult Protective Services in fiscal year 2002	\$120,227	9793
Non-TANF Adult Assistance in fiscal year 2002	\$1,000,000	9794
Community-Based Correctional Facilities		9795
in fiscal year 2002	\$3,600,000	9796
Fund 162		9797
CCC Operations in fiscal year 2002	\$7,885,349	9798
Fund 3W5		9799
Abstinence-only Education in fiscal year 2002	\$500,000	9800
Abstinence-only Education in fiscal year 2003	\$500,000	9801
Fund 3W8		9802
Hippy Program	\$62,500	9803
Fund 3W9		9804
Adoption Connection	\$50,000	9805
WELLNESS		9806
The foregoing appropriation item 600-690, Wellness, shall be		9807
used by county departments of job and family services for teen		9808
pregnancy prevention programming. Local contracts shall be		9809
developed between county departments of job and family services		9810
and local family and children first councils for the		9811
administration of TANF funding for this program."		9812
<b>Section 72.</b> That existing Section 63.09 of Am. Sub. H.B. 94		9813
of the 124th General Assembly, as most recently amended by Am.		9814

Sub. H.B. 405 of the 124th General Assembly, is hereby repealed. 9815

**Section 73.** That Section 30 of Am. Sub. H.B. 405 of the 124th 9816  
General Assembly be amended to read as follows: 9817

"**Sec. 30.** TRANSFERS FROM TO THE BUDGET STABILIZATION FUND 9818

Within ten working days after the end of fiscal year 2003, 9819  
the Director of Budget and Management shall determine the General 9820  
Revenue Fund tax revenues for fiscal year 2003. If the director 9821  
finds that the tax revenues are greater than ~~\$17,037,900,000~~ 9822  
\$17,263,500,000, the director shall transfer the amount that is in 9823  
excess of ~~\$17,037,900,000~~ \$17,263,500,000 from the General Revenue 9824  
Fund to the Budget Stabilization Fund." 9825

**Section 74.** That existing Section 30 of Am. Sub. H.B. 405 of 9826  
the 124th General Assembly is hereby repealed. 9827

**Section 75.** Except as otherwise specifically provided in this 9828  
act, the codified and uncodified sections of law amended or 9829  
enacted by this act, and the items of law of which the codified 9830  
and uncodified sections of law amended or enacted by this act are 9831  
composed, are subject to the referendum. Therefore, under Ohio 9832  
Constitution, Article II, Section 1c and section 1.471 of the 9833  
Revised Code, the codified and uncodified sections of law amended 9834  
or enacted by this act, and the items of law of which the codified 9835  
and uncodified sections amended or enacted by this act are 9836  
composed, take effect on the ninety-first day after this act is 9837  
filed with the Secretary of State. If, however, a referendum 9838  
petition is filed against any such codified or uncodified section 9839  
of law as amended or enacted by this act, or against any item of 9840  
law of which any such codified or uncodified section of law as 9841  
amended or enacted by this act is composed, the codified or 9842

uncodified section of law as amended or enacted, or item of law, 9843  
unless rejected at the referendum, takes effect at the earliest 9844  
time permitted by law. 9845

**Section 76.** The amendments by this act to Sections 13, 13.01, 9846  
13.05, 13.12, 32, 45, 56.01, 63.09, and 69 of Am. Sub. H.B. 94 of 9847  
the 124th General Assembly are not subject to the referendum. 9848  
Therefore, under Ohio Constitution, Article II, Section 1d and 9849  
section 1.471 of the Revised Code, the amendments go into 9850  
immediate effect when this act becomes law. 9851

**Section 77.** The amendment by this act to Section 30 of Am. 9852  
Sub. H.B. 405 of the 124th General Assembly is not subject to the 9853  
referendum. Therefore, under Ohio Constitution, Article II, 9854  
Section 1d and section 1.471 of the Revised Code, the amendment 9855  
goes into immediate effect when this act becomes law. 9856

**Section 78.** Section 55 of this act is not subject to the 9857  
referendum. Therefore, under Ohio Constitution, Article II, 9858  
Section 1d and section 1.471 of the Revised Code, the section goes 9859  
into immediate effect when this act becomes law. 9860

**Section 79.** If any item of law that constitutes the whole or 9861  
part of a codified or uncodified section of law contained in this 9862  
act, or if any application of any item of law that constitutes the 9863  
whole or part of a codified or uncodified section of law contained 9864  
in this act, is held invalid, the invalidity does not affect other 9865  
items of law or applications of items of law that can be given 9866  
effect without the invalid item of law or application. To this 9867  
end, the items of law of which the codified and uncodified 9868  
sections of law contained in this act are composed, and their 9869  
applications, are independent and severable. 9870