(127th General Assembly)
(Amended Substitute House Bill Number 266)

AN ACT

To amend section 345.08 of the Revised Code and to amend Section 201.50 of H.B. 496 of the 127th General Assembly, as subsequently amended, to enable more flexible composition of veterans memorial boards of trustees, to establish corrective action grants for school facilities projects, and to make a capital appropriation.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 345.08 of the Revised Code be amended to read as follows:

Sec. 345.08. Within five days after the certification to the taxing authority of the result of an election held under sections 345.02 to 345.05 of the Revised Code, provided a majority of the votes cast on the proposal submitted are in favor of such proposal, or within five days after adoption by the taxing authority of an ordinance or resolution to authorize the issuance of any such bonds without a vote of the electors, the taxing authority of the township or county, or the mayor of the municipal corporation shall appoint a board of trustees, consisting of at least five but not more than eleven members, which shall, at all times, be so constituted that at least ~~seven~~ a majority of its members are honorably discharged veterans of the armed forces of the United States~~, having served in one or more wars in which the United States was a belligerent~~. ~~Not more than six members of the board shall be from the same political party. Five~~ A majority of such trustees shall be appointed for three years and ~~six~~ the remaining trustees shall be appointed for five years, and thereafter, on the expiration of the original term, appointments shall be made for terms of five years. Appointments to fill vacancies shall be for the unexpired term.

SECTION 2. That existing section 345.08 of the Revised Code is hereby repealed.

SECTION 3. That Section 201.50 of H.B. 496 of the 127th General Assembly, as amended by Am. Sub. H.B. 562 of the 127th General Assembly, be amended to read as follows:

Sec. 201.50. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the School Building Program Assistance Fund (Fund 7032) that are not otherwise appropriated:

			Reappropriations
SFC SCHOOL FACILITIES COMMISSION			
C23002	School Building Program Assistance	$	~~3,572,253,121~~ 3,547,253,121
C23005	Exceptional Needs	$	28,504,951
C23010	Vocation Facilities Assistance Program	$	11,115,616
C23011	Corrective Action Grants	$	25,000,000
Total School Facilities Commission		$	3,611,873,688
TOTAL School Building Program Assistance Fund		$	3,611,873,688

CONSTRUCTION OF NEW BLIND AND DEAF SCHOOLS

Of the foregoing appropriation item C23002, School Building Program Assistance, $37,080,000 shall be used for constructing new facilities, or renovating existing facilities, or both, on the current campuses of the Ohio State School for the Blind and the Ohio School for the Deaf. Notwithstanding sections 123.01 and 123.15 of the Revised Code and in addition to its powers under Chapter 3318. of the Revised Code, the Ohio School Facilities Commission shall administer the project pursuant to the memorandum of understanding that the Ohio State School for the Blind, the Ohio School for the Deaf, and the Ohio School Facilities Commission signed on October 31, 2007. The project shall comply to the fullest extent possible with the specifications and policies set forth in the Ohio School Facilities Design Manual and shall not be considered a part of any program created under Chapter 3318. of the Revised Code. As agreed to by the parties in the memorandum of understanding, $37,080,000 is sufficient to complete the construction or renovation of the facilities needed for the education of both the deaf and blind student communities and additional appropriations will not be required. Upon issuance by the Commission of a certificate of completion of the project, the Commission's participation in the project shall end.

The Executive Director of the Ohio School Facilities Commission shall comply with the procedures and guidelines established in Chapter 153. of the Revised Code. Upon the release of funds for the project by the Controlling Board or the Director of Budget and Management, the Commission may administer the project without the supervision, control, or

approval of the Director of Administrative Services. Any references to the Director of Administrative Services in the Revised Code, with respect to the administration of the project, shall be read as if they referred to the Director of the Ohio School Facilities Commission.

CORRECTIVE ACTION GRANTS

The foregoing appropriation item C23011, Corrective Action Grants, may be used to provide funding to bring facilities up to Ohio School Design Manual standards for a project funded pursuant to sections 3318.01 to 3318.20 or 3318.40 to 3318.45 of the Revised Code for the correction of work found during or after project close-out to be defective, or for the remediation of work found during or after project close-out to be omitted. Funding shall only be provided for work if the impacted school district notifies the Executive Director of the Ohio School Facilities Commission within five years of project close-out. The Commission may provide funding assistance necessary to take corrective measures after evaluating defective or omitted work. If the work to be corrected or remediated is part of a project not yet completed, the Commission may amend the project agreement to increase the project budget and use corrective action funding to provide the local share of the amendment. If the work to be corrected or remediated was part of a completed project and funds were retained or transferred pursuant to division (C) of section 3318.12 of the Revised Code, the Commission may enter into a new agreement to address the necessary corrective action. The Commission shall assess responsibility for the defective or omitted work and seek cost recovery from responsible parties, if applicable. Any funds recovered shall be deposited into the School Building Program Assistance Fund (Fund 7032).

SECTION 4. That existing Section 201.50 of H.B. 496 of the 127th General Assembly, as amended by Am. Sub. H.B. 562 of the 127th General Assembly, is hereby repealed.

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Speaker _____ of the House of Representatives.

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President _____ of the Senate.

Passed _____, 20____

Approved _____, 20____

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Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

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Secretary of State.

File No. _____ Effective Date _____