

As Passed by the Senate

131st General Assembly

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Sub. H. B. No. 340

Representative Amstutz

**Cosponsors: Representatives Rogers, Duffey, Grossman, Sweeney, Hambley, Ryan, Smith, R., Baker, Hackett, Ruhl, Young, Derickson, Ginter, Anielski, Antonio, Arndt, Boose, Boyce, Brown, Buchy, Burkley, Conditt, Craig, Cupp, Dovilla, Green, Hagan, Hall, Henne, Kunze, Leland, Maag, McClain, O'Brien, M., Patterson, Reece, Retherford, Scherer, Schuring, Sears, Slesnick, Smith, K., Sprague, Stinziano, Strahorn, Speaker Rosenberger
Senators Coley, Eklund, Faber, Hite, Oelslager, Seitz**

A B I L L

To amend sections 109.572, 124.386, 133.06, 135.182, 1
164.20, 189.10, 353.03, 1121.10, 1121.24, 1123.03, 2
1181.17, 3307.01, 3309.013, 3313.976, 3314.085, 3
3317.0216, 3318.71, 3319.271, 3335.361, 3702.59, 4
3721.03, 5104.01, 5104.03, 5705.2112, 5709.17, 5
5726.98, 5733.01, 5733.98, 5751.01, and 6301.11; 6
to enact sections 3333.93 and 5705.2113; to repeal 7
sections 1121.29, 1155.13, 1163.16, 5726.51, and 8
5733.063 of the Revised Code; and to repeal 9
section 3333.93 of the Revised Code on December 10
31, 2019; and to amend Sections 241.10, 259.10, 11
259.40, 263.10, 263.280, 337.10, 337.30, 369.10, 12
369.314, 369.393, 369.470, 371.10, 401.10, and 13
701.120 of Am. Sub. H.B. 64 of the 131st General 14
Assembly, and to amend Section 263.325 of Am. Sub. 15
H.B. 64 of the 131st General Assembly, as 16
subsequently amended, to make program and 17

budgetary modifications, to make an appropriation, 18
and to declare an emergency. 19

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

Section 101.01. That sections 109.572, 124.386, 133.06, 20
135.182, 164.20, 189.10, 353.03, 1121.10, 1121.24, 1123.03, 21
1181.17, 3307.01, 3309.013, 3313.976, 3314.085, 3317.0216, 22
3318.71, 3319.271, 3335.361, 3702.59, 3721.03, 5104.01, 5104.03, 23
5705.2112, 5709.17, 5726.98, 5733.01, 5733.98, 5751.01, and 24
6301.11 be amended and sections 3333.93 and 5705.2113 of the 25
Revised Code be enacted to read as follows: 26

Sec. 109.572. (A)(1) Upon receipt of a request pursuant to 27
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised Code, 28
a completed form prescribed pursuant to division (C)(1) of this 29
section, and a set of fingerprint impressions obtained in the 30
manner described in division (C)(2) of this section, the 31
superintendent of the bureau of criminal identification and 32
investigation shall conduct a criminal records check in the manner 33
described in division (B) of this section to determine whether any 34
information exists that indicates that the person who is the 35
subject of the request previously has been convicted of or pleaded 36
guilty to any of the following: 37

(a) A violation of section 2903.01, 2903.02, 2903.03, 38
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 39
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 40
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 41
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 42
2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 43
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 44
2925.06, or 3716.11 of the Revised Code, felonious sexual 45
penetration in violation of former section 2907.12 of the Revised 46

Code, a violation of section 2905.04 of the Revised Code as it 47
existed prior to July 1, 1996, a violation of section 2919.23 of 48
the Revised Code that would have been a violation of section 49
2905.04 of the Revised Code as it existed prior to July 1, 1996, 50
had the violation been committed prior to that date, or a 51
violation of section 2925.11 of the Revised Code that is not a 52
minor drug possession offense; 53

(b) A violation of an existing or former law of this state, 54
any other state, or the United States that is substantially 55
equivalent to any of the offenses listed in division (A)(1)(a) of 56
this section; 57

(c) If the request is made pursuant to section 3319.39 of the 58
Revised Code for an applicant who is a teacher, any offense 59
specified in section 3319.31 of the Revised Code. 60

(2) On receipt of a request pursuant to section 3712.09 or 61
3721.121 of the Revised Code, a completed form prescribed pursuant 62
to division (C)(1) of this section, and a set of fingerprint 63
impressions obtained in the manner described in division (C)(2) of 64
this section, the superintendent of the bureau of criminal 65
identification and investigation shall conduct a criminal records 66
check with respect to any person who has applied for employment in 67
a position for which a criminal records check is required by those 68
sections. The superintendent shall conduct the criminal records 69
check in the manner described in division (B) of this section to 70
determine whether any information exists that indicates that the 71
person who is the subject of the request previously has been 72
convicted of or pleaded guilty to any of the following: 73

(a) A violation of section 2903.01, 2903.02, 2903.03, 74
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 75
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 76
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 77
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 78

2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 79
2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 80
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 81
2925.22, 2925.23, or 3716.11 of the Revised Code; 82

(b) An existing or former law of this state, any other state, 83
or the United States that is substantially equivalent to any of 84
the offenses listed in division (A)(2)(a) of this section. 85

(3) On receipt of a request pursuant to section 173.27, 86
173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 5123.081, 87
or 5123.169 of the Revised Code, a completed form prescribed 88
pursuant to division (C)(1) of this section, and a set of 89
fingerprint impressions obtained in the manner described in 90
division (C)(2) of this section, the superintendent of the bureau 91
of criminal identification and investigation shall conduct a 92
criminal records check of the person for whom the request is made. 93
The superintendent shall conduct the criminal records check in the 94
manner described in division (B) of this section to determine 95
whether any information exists that indicates that the person who 96
is the subject of the request previously has been convicted of, 97
has pleaded guilty to, or (except in the case of a request 98
pursuant to section 5164.34, 5164.341, or 5164.342 of the Revised 99
Code) has been found eligible for intervention in lieu of 100
conviction for any of the following, regardless of the date of the 101
conviction, the date of entry of the guilty plea, or (except in 102
the case of a request pursuant to section 5164.34, 5164.341, or 103
5164.342 of the Revised Code) the date the person was found 104
eligible for intervention in lieu of conviction: 105

(a) A violation of section 959.13, 959.131, 2903.01, 2903.02, 106
2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 2903.15, 107
2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 2905.01, 108
2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 2907.02, 109
2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 110

2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 2907.32,	111
2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 2909.03, 2909.04,	112
2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12,	113
2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 2913.11, 2913.21,	114
2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 2913.43, 2913.44,	115
2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 2913.49, 2913.51,	116
2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 2919.121, 2919.123,	117
2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 2921.11, 2921.12,	118
2921.13, 2921.21, 2921.24, 2921.32, 2921.321, 2921.34, 2921.35,	119
2921.36, 2921.51, 2923.12, 2923.122, 2923.123, 2923.13, 2923.161,	120
2923.162, 2923.21, 2923.32, 2923.42, 2925.02, 2925.03, 2925.04,	121
2925.041, 2925.05, 2925.06, 2925.09, 2925.11, 2925.13, 2925.14,	122
2925.141, 2925.22, 2925.23, 2925.24, 2925.36, 2925.55, 2925.56,	123
2927.12, or 3716.11 of the Revised Code;	124
(b) Felonious sexual penetration in violation of former	125
section 2907.12 of the Revised Code;	126
(c) A violation of section 2905.04 of the Revised Code as it	127
existed prior to July 1, 1996;	128
(d) A violation of section 2923.01, 2923.02, or 2923.03 of	129
the Revised Code when the underlying offense that is the object of	130
the conspiracy, attempt, or complicity is one of the offenses	131
listed in divisions (A)(3)(a) to (c) of this section;	132
(e) A violation of an existing or former municipal ordinance	133
or law of this state, any other state, or the United States that	134
is substantially equivalent to any of the offenses listed in	135
divisions (A)(3)(a) to (d) of this section.	136
(4) On receipt of a request pursuant to section 2151.86 of	137
the Revised Code, a completed form prescribed pursuant to division	138
(C)(1) of this section, and a set of fingerprint impressions	139
obtained in the manner described in division (C)(2) of this	140
section, the superintendent of the bureau of criminal	141

identification and investigation shall conduct a criminal records 142
check in the manner described in division (B) of this section to 143
determine whether any information exists that indicates that the 144
person who is the subject of the request previously has been 145
convicted of or pleaded guilty to any of the following: 146

(a) A violation of section 959.13, 2903.01, 2903.02, 2903.03, 147
2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 2903.21, 148
2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 149
2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 150
2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 151
2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 2909.23, 2909.24, 152
2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 2917.01, 2917.02, 153
2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 154
2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2927.12, or 3716.11 155
of the Revised Code, a violation of section 2905.04 of the Revised 156
Code as it existed prior to July 1, 1996, a violation of section 157
2919.23 of the Revised Code that would have been a violation of 158
section 2905.04 of the Revised Code as it existed prior to July 1, 159
1996, had the violation been committed prior to that date, a 160
violation of section 2925.11 of the Revised Code that is not a 161
minor drug possession offense, two or more OVI or OVUAC violations 162
committed within the three years immediately preceding the 163
submission of the application or petition that is the basis of the 164
request, or felonious sexual penetration in violation of former 165
section 2907.12 of the Revised Code; 166

(b) A violation of an existing or former law of this state, 167
any other state, or the United States that is substantially 168
equivalent to any of the offenses listed in division (A)(4)(a) of 169
this section. 170

(5) Upon receipt of a request pursuant to section 5104.013 of 171
the Revised Code, a completed form prescribed pursuant to division 172
(C)(1) of this section, and a set of fingerprint impressions 173

obtained in the manner described in division (C)(2) of this 174
section, the superintendent of the bureau of criminal 175
identification and investigation shall conduct a criminal records 176
check in the manner described in division (B) of this section to 177
determine whether any information exists that indicates that the 178
person who is the subject of the request has been convicted of or 179
pleaded guilty to any of the following: 180

(a) A violation of section 2151.421, 2903.01, 2903.02, 181
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 182
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 183
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 184
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 185
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 186
2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 2913.02, 187
2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 2913.21, 188
2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 2913.42, 189
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 190
2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 2919.22, 191
2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 2921.13, 192
2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 2923.161, 193
2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the 194
Revised Code, felonious sexual penetration in violation of former 195
section 2907.12 of the Revised Code, a violation of section 196
2905.04 of the Revised Code as it existed prior to July 1, 1996, a 197
violation of section 2919.23 of the Revised Code that would have 198
been a violation of section 2905.04 of the Revised Code as it 199
existed prior to July 1, 1996, had the violation been committed 200
prior to that date, a violation of section 2925.11 of the Revised 201
Code that is not a minor drug possession offense, a violation of 202
section 2923.02 or 2923.03 of the Revised Code that relates to a 203
crime specified in this division, or a second violation of section 204
4511.19 of the Revised Code within five years of the date of 205
application for licensure or certification. 206

(b) A violation of an existing or former law of this state, 207
any other state, or the United States that is substantially 208
equivalent to any of the offenses or violations described in 209
division (A)(5)(a) of this section. 210

(6) Upon receipt of a request pursuant to section 5153.111 of 211
the Revised Code, a completed form prescribed pursuant to division 212
(C)(1) of this section, and a set of fingerprint impressions 213
obtained in the manner described in division (C)(2) of this 214
section, the superintendent of the bureau of criminal 215
identification and investigation shall conduct a criminal records 216
check in the manner described in division (B) of this section to 217
determine whether any information exists that indicates that the 218
person who is the subject of the request previously has been 219
convicted of or pleaded guilty to any of the following: 220

(a) A violation of section 2903.01, 2903.02, 2903.03, 221
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 222
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 223
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 224
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 225
2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 226
2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 227
2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, 228
felonious sexual penetration in violation of former section 229
2907.12 of the Revised Code, a violation of section 2905.04 of the 230
Revised Code as it existed prior to July 1, 1996, a violation of 231
section 2919.23 of the Revised Code that would have been a 232
violation of section 2905.04 of the Revised Code as it existed 233
prior to July 1, 1996, had the violation been committed prior to 234
that date, or a violation of section 2925.11 of the Revised Code 235
that is not a minor drug possession offense; 236

(b) A violation of an existing or former law of this state, 237
any other state, or the United States that is substantially 238

equivalent to any of the offenses listed in division (A)(6)(a) of 239
this section. 240

(7) On receipt of a request for a criminal records check from 241
an individual pursuant to section 4749.03 or 4749.06 of the 242
Revised Code, accompanied by a completed copy of the form 243
prescribed in division (C)(1) of this section and a set of 244
fingerprint impressions obtained in a manner described in division 245
(C)(2) of this section, the superintendent of the bureau of 246
criminal identification and investigation shall conduct a criminal 247
records check in the manner described in division (B) of this 248
section to determine whether any information exists indicating 249
that the person who is the subject of the request has been 250
convicted of or pleaded guilty to a felony in this state or in any 251
other state. If the individual indicates that a firearm will be 252
carried in the course of business, the superintendent shall 253
require information from the federal bureau of investigation as 254
described in division (B)(2) of this section. Subject to division 255
(F) of this section, the superintendent shall report the findings 256
of the criminal records check and any information the federal 257
bureau of investigation provides to the director of public safety. 258

(8) On receipt of a request pursuant to section 1321.37, 259
1321.53, 1321.531, 1322.03, 1322.031, or 4763.05 of the Revised 260
Code, a completed form prescribed pursuant to division (C)(1) of 261
this section, and a set of fingerprint impressions obtained in the 262
manner described in division (C)(2) of this section, the 263
superintendent of the bureau of criminal identification and 264
investigation shall conduct a criminal records check with respect 265
to any person who has applied for a license, permit, or 266
certification from the department of commerce or a division in the 267
department. The superintendent shall conduct the criminal records 268
check in the manner described in division (B) of this section to 269
determine whether any information exists that indicates that the 270

person who is the subject of the request previously has been 271
convicted of or pleaded guilty to any of the following: a 272
violation of section 2913.02, 2913.11, 2913.31, 2913.51, or 273
2925.03 of the Revised Code; any other criminal offense involving 274
theft, receiving stolen property, embezzlement, forgery, fraud, 275
passing bad checks, money laundering, or drug trafficking, or any 276
criminal offense involving money or securities, as set forth in 277
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 278
the Revised Code; or any existing or former law of this state, any 279
other state, or the United States that is substantially equivalent 280
to those offenses. 281

(9) On receipt of a request for a criminal records check from 282
the treasurer of state under section 113.041 of the Revised Code 283
or from an individual under section 4701.08, 4715.101, 4717.061, 284
4725.121, ~~4725.46~~, 4725.501, 4729.071, 4730.101, 4730.14, 4730.28, 285
4731.081, 4731.15, 4731.171, 4731.222, 4731.281, 4731.296, 286
4731.531, 4732.091, 4734.202, 4740.061, 4741.10, 4755.70, 287
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 288
4762.06, 4776.021, 4779.091, or 4783.04 of the Revised Code, 289
accompanied by a completed form prescribed under division (C)(1) 290
of this section and a set of fingerprint impressions obtained in 291
the manner described in division (C)(2) of this section, the 292
superintendent of the bureau of criminal identification and 293
investigation shall conduct a criminal records check in the manner 294
described in division (B) of this section to determine whether any 295
information exists that indicates that the person who is the 296
subject of the request has been convicted of or pleaded guilty to 297
any criminal offense in this state or any other state. Subject to 298
division (F) of this section, the superintendent shall send the 299
results of a check requested under section 113.041 of the Revised 300
Code to the treasurer of state and shall send the results of a 301
check requested under any of the other listed sections to the 302
licensing board specified by the individual in the request. 303

(10) On receipt of a request pursuant to section 1121.23, 304
1155.03, 1163.05, 1315.141, 1733.47, or 1761.26 of the Revised 305
Code, a completed form prescribed pursuant to division (C)(1) of 306
this section, and a set of fingerprint impressions obtained in the 307
manner described in division (C)(2) of this section, the 308
superintendent of the bureau of criminal identification and 309
investigation shall conduct a criminal records check in the manner 310
described in division (B) of this section to determine whether any 311
information exists that indicates that the person who is the 312
subject of the request previously has been convicted of or pleaded 313
guilty to any criminal offense under any existing or former law of 314
this state, any other state, or the United States. 315

(11) On receipt of a request for a criminal records check 316
from an appointing or licensing authority under section 3772.07 of 317
the Revised Code, a completed form prescribed under division 318
(C)(1) of this section, and a set of fingerprint impressions 319
obtained in the manner prescribed in division (C)(2) of this 320
section, the superintendent of the bureau of criminal 321
identification and investigation shall conduct a criminal records 322
check in the manner described in division (B) of this section to 323
determine whether any information exists that indicates that the 324
person who is the subject of the request previously has been 325
convicted of or pleaded guilty or no contest to any offense under 326
any existing or former law of this state, any other state, or the 327
United States that is a disqualifying offense as defined in 328
section 3772.07 of the Revised Code or substantially equivalent to 329
such an offense. 330

(12) On receipt of a request pursuant to section 2151.33 or 331
2151.412 of the Revised Code, a completed form prescribed pursuant 332
to division (C)(1) of this section, and a set of fingerprint 333
impressions obtained in the manner described in division (C)(2) of 334
this section, the superintendent of the bureau of criminal 335

identification and investigation shall conduct a criminal records 336
check with respect to any person for whom a criminal records check 337
is required ~~by~~ under that section. The superintendent shall 338
conduct the criminal records check in the manner described in 339
division (B) of this section to determine whether any information 340
exists that indicates that the person who is the subject of the 341
request previously has been convicted of or pleaded guilty to any 342
of the following: 343

(a) A violation of section 2903.01, 2903.02, 2903.03, 344
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 345
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 346
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 347
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 348
2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 349
2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 350
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 351
2925.22, 2925.23, or 3716.11 of the Revised Code; 352

(b) An existing or former law of this state, any other state, 353
or the United States that is substantially equivalent to any of 354
the offenses listed in division (A)(12)(a) of this section. 355

(B) Subject to division (F) of this section, the 356
superintendent shall conduct any criminal records check to be 357
conducted under this section as follows: 358

(1) The superintendent shall review or cause to be reviewed 359
any relevant information gathered and compiled by the bureau under 360
division (A) of section 109.57 of the Revised Code that relates to 361
the person who is the subject of the criminal records check, 362
including, if the criminal records check was requested under 363
section 113.041, 121.08, 173.27, 173.38, 173.381, 1121.23, 364
1155.03, 1163.05, 1315.141, 1321.37, 1321.53, 1321.531, 1322.03, 365
1322.031, 1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 366
3701.881, 3712.09, 3721.121, 3772.07, 4749.03, 4749.06, 4763.05, 367

5104.013, 5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 368
5153.111 of the Revised Code, any relevant information contained 369
in records that have been sealed under section 2953.32 of the 370
Revised Code; 371

(2) If the request received by the superintendent asks for 372
information from the federal bureau of investigation, the 373
superintendent shall request from the federal bureau of 374
investigation any information it has with respect to the person 375
who is the subject of the criminal records check, including 376
fingerprint-based checks of national crime information databases 377
as described in 42 U.S.C. 671 if the request is made pursuant to 378
section 2151.86 or 5104.013 of the Revised Code or if any other 379
Revised Code section requires fingerprint-based checks of that 380
nature, and shall review or cause to be reviewed any information 381
the superintendent receives from that bureau. If a request under 382
section 3319.39 of the Revised Code asks only for information from 383
the federal bureau of investigation, the superintendent shall not 384
conduct the review prescribed by division (B)(1) of this section. 385

(3) The superintendent or the superintendent's designee may 386
request criminal history records from other states or the federal 387
government pursuant to the national crime prevention and privacy 388
compact set forth in section 109.571 of the Revised Code. 389

(4) The superintendent shall include in the results of the 390
criminal records check a list or description of the offenses 391
listed or described in division (A)(1), (2), (3), (4), (5), (6), 392
(7), (8), (9), (10), (11), or (12) of this section, whichever 393
division requires the superintendent to conduct the criminal 394
records check. The superintendent shall exclude from the results 395
any information the dissemination of which is prohibited by 396
federal law. 397

(5) The superintendent shall send the results of the criminal 398
records check to the person to whom it is to be sent not later 399

than the following number of days after the date the 400
superintendent receives the request for the criminal records 401
check, the completed form prescribed under division (C)(1) of this 402
section, and the set of fingerprint impressions obtained in the 403
manner described in division (C)(2) of this section: 404

(a) If the superintendent is required by division (A) of this 405
section (other than division (A)(3) of this section) to conduct 406
the criminal records check, thirty; 407

(b) If the superintendent is required by division (A)(3) of 408
this section to conduct the criminal records check, sixty. 409

(C)(1) The superintendent shall prescribe a form to obtain 410
the information necessary to conduct a criminal records check from 411
any person for whom a criminal records check is to be conducted 412
under this section. The form that the superintendent prescribes 413
pursuant to this division may be in a tangible format, in an 414
electronic format, or in both tangible and electronic formats. 415

(2) The superintendent shall prescribe standard impression 416
sheets to obtain the fingerprint impressions of any person for 417
whom a criminal records check is to be conducted under this 418
section. Any person for whom a records check is to be conducted 419
under this section shall obtain the fingerprint impressions at a 420
county sheriff's office, municipal police department, or any other 421
entity with the ability to make fingerprint impressions on the 422
standard impression sheets prescribed by the superintendent. The 423
office, department, or entity may charge the person a reasonable 424
fee for making the impressions. The standard impression sheets the 425
superintendent prescribes pursuant to this division may be in a 426
tangible format, in an electronic format, or in both tangible and 427
electronic formats. 428

(3) Subject to division (D) of this section, the 429
superintendent shall prescribe and charge a reasonable fee for 430

providing a criminal records check under this section. The person 431
requesting the criminal records check shall pay the fee prescribed 432
pursuant to this division. In the case of a request under section 433
1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 1761.26, 2151.33, 434
2151.412, or 5164.34 of the Revised Code, the fee shall be paid in 435
the manner specified in that section. 436

(4) The superintendent of the bureau of criminal 437
identification and investigation may prescribe methods of 438
forwarding fingerprint impressions and information necessary to 439
conduct a criminal records check, which methods shall include, but 440
not be limited to, an electronic method. 441

(D) The results of a criminal records check conducted under 442
this section, other than a criminal records check specified in 443
division (A)(7) of this section, are valid for the person who is 444
the subject of the criminal records check for a period of one year 445
from the date upon which the superintendent completes the criminal 446
records check. If during that period the superintendent receives 447
another request for a criminal records check to be conducted under 448
this section for that person, the superintendent shall provide the 449
results from the previous criminal records check of the person at 450
a lower fee than the fee prescribed for the initial criminal 451
records check. 452

(E) When the superintendent receives a request for 453
information from a registered private provider, the superintendent 454
shall proceed as if the request was received from a school 455
district board of education under section 3319.39 of the Revised 456
Code. The superintendent shall apply division (A)(1)(c) of this 457
section to any such request for an applicant who is a teacher. 458

(F)(1) All information regarding the results of a criminal 459
records check conducted under this section that the superintendent 460
reports or sends under division (A)(7) or (9) of this section to 461
the director of public safety, the treasurer of state, or the 462

person, board, or entity that made the request for the criminal 463
records check shall relate to the conviction of the subject 464
person, or the subject person's plea of guilty to, a criminal 465
offense. 466

(2) Division (F)(1) of this section does not limit, restrict, 467
or preclude the superintendent's release of information that 468
relates to the arrest of a person who is eighteen years of age or 469
older, to an adjudication of a child as a delinquent child, or to 470
a criminal conviction of a person under eighteen years of age in 471
circumstances in which a release of that nature is authorized 472
under division (E)(2), (3), or (4) of section 109.57 of the 473
Revised Code pursuant to a rule adopted under division (E)(1) of 474
that section. 475

(G) As used in this section: 476

(1) "Criminal records check" means any criminal records check 477
conducted by the superintendent of the bureau of criminal 478
identification and investigation in accordance with division (B) 479
of this section. 480

(2) "Minor drug possession offense" has the same meaning as 481
in section 2925.01 of the Revised Code. 482

(3) "OVI or OVUAC violation" means a violation of section 483
4511.19 of the Revised Code or a violation of an existing or 484
former law of this state, any other state, or the United States 485
that is substantially equivalent to section 4511.19 of the Revised 486
Code. 487

(4) "Registered private provider" means a nonpublic school or 488
entity registered with the superintendent of public instruction 489
under section 3310.41 of the Revised Code to participate in the 490
autism scholarship program or section 3310.58 of the Revised Code 491
to participate in the Jon Peterson special needs scholarship 492
program. 493

Sec. 124.386. (A) Each full-time permanent employee paid in 494
accordance with section 124.152 of the Revised Code and those 495
full-time permanent employees listed in divisions (B)(2) and (4) 496
of section 124.14 of the Revised Code shall be credited with 497
thirty-two hours of personal leave each year. Each part-time 498
permanent employee paid in accordance with section 124.152 of the 499
Revised Code and those part-time permanent employees listed in 500
divisions (B)(2) and (4) of section 124.14 of the Revised Code 501
shall receive a pro-rated personal leave credit as determined by 502
rule of the director of administrative services. The credit shall 503
be made to each eligible employee in the first pay the employee 504
receives in December. Employees, upon giving reasonable notice to 505
the responsible administrative officer of the appointing 506
authority, may use personal leave for absence due to mandatory 507
court appearances, legal or business matters, family emergencies, 508
unusual family obligations, medical appointments, weddings, 509
religious holidays not listed in section 124.19 of the Revised 510
Code, or any other matter of a personal nature. Personal leave may 511
not be used on a holiday when an employee is scheduled to work. 512

Personal leave is not available for use until it appears on 513
the employee's earning statement and the compensation described in 514
the earning statement is available to the employee. 515

There shall be a moratorium on personal leave accrual 516
beginning with the credit employees would have received in 517
December 2009, except as otherwise provided in divisions (H)(1) 518
and (2) of this section. Personal leave accrual shall resume with 519
employees receiving credit in December 2011 and there shall be no 520
retroactive grant of credit for the period the moratorium was in 521
effect. 522

(B) When personal leave is used by an employee of either 523
house of the general assembly or an employee of a legislative 524

agency, it shall be deducted from the unused balance of the 525
employee's personal leave in the manner prescribed by the 526
employee's administrative authority. When personal leave is used 527
by an employee described in division (A) of this section who is 528
not an employee of either house of the general assembly or of a 529
legislative agency, it shall be deducted from the unused balance 530
of the employee's personal leave on the basis of absence in such 531
increments of an hour as the director of administrative services 532
determines. Compensation for personal leave shall be equal to the 533
employee's base rate of pay. 534

(C) A newly appointed full-time permanent employee or a 535
non-full-time employee who receives a full-time permanent 536
appointment shall be credited with personal leave of thirty-two 537
hours, less one and two-tenths hours for each pay period that has 538
elapsed following the first paycheck the employee receives in 539
December, until the first day of the pay period during which the 540
appointment was effective. 541

(D) The director of administrative services shall allow 542
employees to elect one of the following options with respect to 543
the unused balance of personal leave: 544

(1) Carry forward the balance. The maximum credit that shall 545
be available to an employee at any one time is forty hours. 546

(2) Convert the balance to accumulated sick leave, to be used 547
in the manner provided by section 124.382 of the Revised Code; 548

(3) Receive a cash benefit. The cash benefit shall equal one 549
hour of the employee's base rate of pay for every hour of unused 550
credit that is converted. An employee serving in a temporary work 551
level who elects to convert unused personal leave to cash shall do 552
so at the base rate of pay of the employee's normal 553
classification. Such cash benefit shall not be subject to 554
contributions to any of the retirement systems, either by the 555

employee or the employer. 556

There shall be a moratorium on the payment for conversion of 557
unused personal leave until December 2011, except as otherwise 558
provided in divisions (H)(1) and (2) of this section. 559

(E) A full-time permanent employee who separates from state 560
service or becomes ineligible to be credited with leave under this 561
section shall receive a reduction of personal leave credit of one 562
and two-tenths hours for each pay period that remains beginning 563
with the first pay period following the date of separation or the 564
effective date of the employee's ineligibility until the pay 565
period preceding the next base pay period. After calculation of 566
the reduction of an employee's personal leave credit, the employee 567
is entitled to compensation for any remaining personal leave 568
credit at the employee's current base rate of pay. If the 569
reduction results in a number of hours less than zero, the cash 570
equivalent value of such number of hours shall be deducted from 571
any compensation that remains payable to the employee, or from the 572
cash conversion value of any vacation or sick leave that remains 573
credited to the employee. An employee serving in a temporary work 574
level who is eligible to receive compensation under this section 575
shall be compensated at the base rate of pay of the employee's 576
normal classification. 577

(F) An employee who transfers from one public agency to 578
another public agency in which the employee is eligible for the 579
credit provided under this section shall be credited with the 580
unused balance of personal leave. 581

(G) The director of administrative services shall establish 582
procedures to uniformly administer this section. No personal leave 583
may be granted to a state employee upon or after retirement or 584
termination of employment. 585

(H)(1) The moratoria imposed under divisions (A) and (D)(3) 586

of this section shall apply to employees of the secretary of 587
state, auditor of state, treasurer of state, and attorney general 588
who are subject to this section unless the secretary of state, 589
auditor of state, treasurer of state, or attorney general decides 590
to exempt the office's employees from the moratoria and so 591
notifies the director of administrative services in writing on or 592
before November 1, 2009. 593

(2) The moratoria imposed under divisions (A) and (D)(3) of 594
this section do not apply to employees of the supreme court, the 595
general assembly, and the legislative service commission who are 596
subject to this section, unless the supreme court, general 597
assembly, or legislative service commission decides to include 598
those employees in the moratoria and so notifies the director of 599
administrative services in writing on or before November 1, 2009. 600
Written notice shall be signed by the appointing authority for 601
employees of the supreme court, general assembly, or legislative 602
service commission as the case may be. 603

Sec. 133.06. (A) A school district shall not incur, without a 604
vote of the electors, net indebtedness that exceeds an amount 605
equal to one-tenth of one per cent of its tax valuation, except as 606
provided in divisions (G) and (H) of this section and in division 607
(D) of section 3313.372 of the Revised Code, or as prescribed in 608
section 3318.052 or 3318.44 of the Revised Code, or as provided in 609
division (J) of this section. 610

(B) Except as provided in divisions (E), (F), and (I) of this 611
section, a school district shall not incur net indebtedness that 612
exceeds an amount equal to nine per cent of its tax valuation. 613

(C) A school district shall not submit to a vote of the 614
electors the question of the issuance of securities in an amount 615
that will make the district's net indebtedness after the issuance 616
of the securities exceed an amount equal to four per cent of its 617

tax valuation, unless the superintendent of public instruction, 618
acting under policies adopted by the state board of education, and 619
the tax commissioner, acting under written policies of the 620
commissioner, consent to the submission. A request for the 621
consents shall be made at least one hundred twenty days prior to 622
the election at which the question is to be submitted. 623

The superintendent of public instruction shall certify to the 624
district the superintendent's and the tax commissioner's decisions 625
within thirty days after receipt of the request for consents. 626

If the electors do not approve the issuance of securities at 627
the election for which the superintendent of public instruction 628
and tax commissioner consented to the submission of the question, 629
the school district may submit the same question to the electors 630
on the date that the next special election may be held under 631
section 3501.01 of the Revised Code without submitting a new 632
request for consent. If the school district seeks to submit the 633
same question at any other subsequent election, the district shall 634
first submit a new request for consent in accordance with this 635
division. 636

(D) In calculating the net indebtedness of a school district, 637
none of the following shall be considered: 638

(1) Securities issued to acquire school buses and other 639
equipment used in transporting pupils or issued pursuant to 640
division (D) of section 133.10 of the Revised Code; 641

(2) Securities issued under division (F) of this section, 642
under section 133.301 of the Revised Code, and, to the extent in 643
excess of the limitation stated in division (B) of this section, 644
under division (E) of this section; 645

(3) Indebtedness resulting from the dissolution of a joint 646
vocational school district under section 3311.217 of the Revised 647
Code, evidenced by outstanding securities of that joint vocational 648

school district;	649
(4) Loans, evidenced by any securities, received under sections 3313.483, 3317.0210, and 3317.0211 of the Revised Code;	650 651
(5) Debt incurred under section 3313.374 of the Revised Code;	652
(6) Debt incurred pursuant to division (B)(5) of section 3313.37 of the Revised Code to acquire computers and related hardware;	653 654 655
(7) Debt incurred under section 3318.042 of the Revised Code;	656
<u>(8) Debt incurred under section 5705.2112 or 5705.2113 of the Revised Code by the fiscal board of a qualifying partnership of which the school district is a participating school district.</u>	657 658 659
(E) A school district may become a special needs district as to certain securities as provided in division (E) of this section.	660 661
(1) A board of education, by resolution, may declare its school district to be a special needs district by determining both of the following:	662 663 664
(a) The student population is not being adequately serviced by the existing permanent improvements of the district.	665 666
(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.	667 668 669 670
(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:	671 672 673
(a) The history of and a projection of the growth of the tax valuation;	674 675
(b) The projected needs;	676
(c) The estimated cost of permanent improvements proposed to	677

meet such projected needs. 678

(3) The superintendent of public instruction shall certify 679
the district as an approved special needs district if the 680
superintendent finds both of the following: 681

(a) The district does not have available sufficient 682
additional funds from state or federal sources to meet the 683
projected needs. 684

(b) The projection of the potential average growth of tax 685
valuation during the next five years, according to the information 686
certified to the superintendent and any other information the 687
superintendent obtains, indicates a likelihood of potential 688
average growth of tax valuation of the district during the next 689
five years of an average of not less than one and one-half per 690
cent per year. The findings and certification of the 691
superintendent shall be conclusive. 692

(4) An approved special needs district may incur net 693
indebtedness by the issuance of securities in accordance with the 694
provisions of this chapter in an amount that does not exceed an 695
amount equal to the greater of the following: 696

(a) Twelve per cent of the sum of its tax valuation plus an 697
amount that is the product of multiplying that tax valuation by 698
the percentage by which the tax valuation has increased over the 699
tax valuation on the first day of the sixtieth month preceding the 700
month in which its board determines to submit to the electors the 701
question of issuing the proposed securities; 702

(b) Twelve per cent of the sum of its tax valuation plus an 703
amount that is the product of multiplying that tax valuation by 704
the percentage, determined by the superintendent of public 705
instruction, by which that tax valuation is projected to increase 706
during the next ten years. 707

(F) A school district may issue securities for emergency 708

purposes, in a principal amount that does not exceed an amount 709
equal to three per cent of its tax valuation, as provided in this 710
division. 711

(1) A board of education, by resolution, may declare an 712
emergency if it determines both of the following: 713

(a) School buildings or other necessary school facilities in 714
the district have been wholly or partially destroyed, or condemned 715
by a constituted public authority, or that such buildings or 716
facilities are partially constructed, or so constructed or planned 717
as to require additions and improvements to them before the 718
buildings or facilities are usable for their intended purpose, or 719
that corrections to permanent improvements are necessary to remove 720
or prevent health or safety hazards. 721

(b) Existing fiscal and net indebtedness limitations make 722
adequate replacement, additions, or improvements impossible. 723

(2) Upon the declaration of an emergency, the board of 724
education may, by resolution, submit to the electors of the 725
district pursuant to section 133.18 of the Revised Code the 726
question of issuing securities for the purpose of paying the cost, 727
in excess of any insurance or condemnation proceeds received by 728
the district, of permanent improvements to respond to the 729
emergency need. 730

(3) The procedures for the election shall be as provided in 731
section 133.18 of the Revised Code, except that: 732

(a) The form of the ballot shall describe the emergency 733
existing, refer to this division as the authority under which the 734
emergency is declared, and state that the amount of the proposed 735
securities exceeds the limitations prescribed by division (B) of 736
this section; 737

(b) The resolution required by division (B) of section 133.18 738
of the Revised Code shall be certified to the county auditor and 739

the board of elections at least one hundred days prior to the 740
election; 741

(c) The county auditor shall advise and, not later than 742
ninety-five days before the election, confirm that advice by 743
certification to, the board of education of the information 744
required by division (C) of section 133.18 of the Revised Code; 745

(d) The board of education shall then certify its resolution 746
and the information required by division (D) of section 133.18 of 747
the Revised Code to the board of elections not less than ninety 748
days prior to the election. 749

(4) Notwithstanding division (B) of section 133.21 of the 750
Revised Code, the first principal payment of securities issued 751
under this division may be set at any date not later than sixty 752
months after the earliest possible principal payment otherwise 753
provided for in that division. 754

(G)(1) The board of education may contract with an architect, 755
professional engineer, or other person experienced in the design 756
and implementation of energy conservation measures for an analysis 757
and recommendations pertaining to installations, modifications of 758
installations, or remodeling that would significantly reduce 759
energy consumption in buildings owned by the district. The report 760
shall include estimates of all costs of such installations, 761
modifications, or remodeling, including costs of design, 762
engineering, installation, maintenance, repairs, measurement and 763
verification of energy savings, and debt service, forgone residual 764
value of materials or equipment replaced by the energy 765
conservation measure, as defined by the Ohio school facilities 766
commission, a baseline analysis of actual energy consumption data 767
for the preceding three years with the utility baseline based on 768
only the actual energy consumption data for the preceding twelve 769
months, and estimates of the amounts by which energy consumption 770
and resultant operational and maintenance costs, as defined by the 771

commission, would be reduced. 772

If the board finds after receiving the report that the amount 773
of money the district would spend on such installations, 774
modifications, or remodeling is not likely to exceed the amount of 775
money it would save in energy and resultant operational and 776
maintenance costs over the ensuing fifteen years, the board may 777
submit to the commission a copy of its findings and a request for 778
approval to incur indebtedness to finance the making or 779
modification of installations or the remodeling of buildings for 780
the purpose of significantly reducing energy consumption. 781

The school facilities commission, in consultation with the 782
auditor of state, may deny a request under this division by the 783
board of education of any school district that is in a state of 784
fiscal watch pursuant to division (A) of section 3316.03 of the 785
Revised Code, if it determines that the expenditure of funds is 786
not in the best interest of the school district. 787

No district board of education of a school district that is 788
in a state of fiscal emergency pursuant to division (B) of section 789
3316.03 of the Revised Code shall submit a request without 790
submitting evidence that the installations, modifications, or 791
remodeling have been approved by the district's financial planning 792
and supervision commission established under section 3316.05 of 793
the Revised Code. 794

No board of education of a school district that, for three or 795
more consecutive years, has been declared to be in a state of 796
academic emergency under section 3302.03 of the Revised Code, as 797
that section existed prior to March 22, 2013, and has failed to 798
meet adequate yearly progress, or has met any condition set forth 799
in division (A) of section 3302.10 of the Revised Code shall 800
submit a request without first receiving approval to incur 801
indebtedness from the district's academic distress commission 802
established under that section, for so long as such commission 803

continues to be required for the district. 804

(2) The school facilities commission shall approve the 805
board's request provided that the following conditions are 806
satisfied: 807

(a) The commission determines that the board's findings are 808
reasonable. 809

(b) The request for approval is complete. 810

(c) The installations, modifications, or remodeling are 811
consistent with any project to construct or acquire classroom 812
facilities, or to reconstruct or make additions to existing 813
classroom facilities under sections 3318.01 to 3318.20 or sections 814
3318.40 to 3318.45 of the Revised Code. 815

Upon receipt of the commission's approval, the district may 816
issue securities without a vote of the electors in a principal 817
amount not to exceed nine-tenths of one per cent of its tax 818
valuation for the purpose of making such installations, 819
modifications, or remodeling, but the total net indebtedness of 820
the district without a vote of the electors incurred under this 821
and all other sections of the Revised Code, except section 822
3318.052 of the Revised Code, shall not exceed one per cent of the 823
district's tax valuation. 824

(3) So long as any securities issued under this division 825
remain outstanding, the board of education shall monitor the 826
energy consumption and resultant operational and maintenance costs 827
of buildings in which installations or modifications have been 828
made or remodeling has been done pursuant to this division. Except 829
as provided in division (G)(4) of this section, the board shall 830
maintain and annually update a report in a form and manner 831
prescribed by the school facilities commission documenting the 832
reductions in energy consumption and resultant operational and 833
maintenance cost savings attributable to such installations, 834

modifications, or remodeling. The resultant operational and 835
maintenance cost savings shall be certified by the school district 836
treasurer. The report shall be submitted annually to the 837
commission. 838

(4) If the school facilities commission verifies that the 839
certified annual reports submitted to the commission by a board of 840
education under division (G)(3) of this section fulfill the 841
guarantee required under division (B) of section 3313.372 of the 842
Revised Code for three consecutive years, the board of education 843
shall no longer be subject to the annual reporting requirements of 844
division (G)(3) of this section. 845

(H) With the consent of the superintendent of public 846
instruction, a school district may incur without a vote of the 847
electors net indebtedness that exceeds the amounts stated in 848
divisions (A) and (G) of this section for the purpose of paying 849
costs of permanent improvements, if and to the extent that both of 850
the following conditions are satisfied: 851

(1) The fiscal officer of the school district estimates that 852
receipts of the school district from payments made under or 853
pursuant to agreements entered into pursuant to section 725.02, 854
1728.10, 3735.671, 5709.081, 5709.082, 5709.40, 5709.41, 5709.62, 855
5709.63, 5709.632, 5709.73, 5709.78, or 5709.82 of the Revised 856
Code, or distributions under division (C) of section 5709.43 of 857
the Revised Code, or any combination thereof, are, after 858
accounting for any appropriate coverage requirements, sufficient 859
in time and amount, and are committed by the proceedings, to pay 860
the debt charges on the securities issued to evidence that 861
indebtedness and payable from those receipts, and the taxing 862
authority of the district confirms the fiscal officer's estimate, 863
which confirmation is approved by the superintendent of public 864
instruction; 865

(2) The fiscal officer of the school district certifies, and 866

the taxing authority of the district confirms, that the district, 867
at the time of the certification and confirmation, reasonably 868
expects to have sufficient revenue available for the purpose of 869
operating such permanent improvements for their intended purpose 870
upon acquisition or completion thereof, and the superintendent of 871
public instruction approves the taxing authority's confirmation. 872

The maximum maturity of securities issued under division (H) 873
of this section shall be the lesser of twenty years or the maximum 874
maturity calculated under section 133.20 of the Revised Code. 875

(I) A school district may incur net indebtedness by the 876
issuance of securities in accordance with the provisions of this 877
chapter in excess of the limit specified in division (B) or (C) of 878
this section when necessary to raise the school district portion 879
of the basic project cost and any additional funds necessary to 880
participate in a project under Chapter 3318. of the Revised Code, 881
including the cost of items designated by the school facilities 882
commission as required locally funded initiatives, the cost of 883
other locally funded initiatives in an amount that does not exceed 884
fifty per cent of the district's portion of the basic project 885
cost, and the cost for site acquisition. The commission shall 886
notify the superintendent of public instruction whenever a school 887
district will exceed either limit pursuant to this division. 888

(J) A school district whose portion of the basic project cost 889
of its classroom facilities project under sections 3318.01 to 890
3318.20 of the Revised Code is greater than or equal to one 891
hundred million dollars may incur without a vote of the electors 892
net indebtedness in an amount up to two per cent of its tax 893
valuation through the issuance of general obligation securities in 894
order to generate all or part of the amount of its portion of the 895
basic project cost if the controlling board has approved the 896
school facilities commission's conditional approval of the project 897
under section 3318.04 of the Revised Code. The school district 898

board and the Ohio school facilities commission shall include the 899
dedication of the proceeds of such securities in the agreement 900
entered into under section 3318.08 of the Revised Code. No state 901
moneys shall be released for a project to which this section 902
applies until the proceeds of any bonds issued under this section 903
that are dedicated for the payment of the school district portion 904
of the project are first deposited into the school district's 905
project construction fund. 906

Sec. 135.182. (A) As used in this section: 907

(1) "Public depository" means that term as defined in section 908
135.01 of the Revised Code, but also means an institution that 909
receives or holds any public deposits as defined in section 135.31 910
of the Revised Code. 911

(2) "Public depositor" means that term as defined in section 912
135.01 of the Revised Code, but also includes a county and any 913
municipal corporation that has adopted a charter under Article 914
XVIII, Ohio Constitution. 915

(3) "Public deposits," "public moneys," and "treasurer" mean 916
those terms as defined in section 135.01 of the Revised Code, but 917
also have the same meanings as are set forth in section 135.31 of 918
the Revised Code. 919

(B)(1) Not later than July 1, 2017, the treasurer of state 920
shall create the Ohio pooled collateral program. Under this 921
program, each institution designated as a public depository that 922
selects the pledging method prescribed in division (A)(2) of 923
section 135.18 or division (A)(2) of section 135.37 of the Revised 924
Code shall pledge to the treasurer of state a single pool of 925
eligible securities for the benefit of all public depositors at 926
the public depository to secure the repayment of all uninsured 927
public deposits at the public depository, provided that at all 928
times the total market value of the securities so pledged is at 929

least equal to ~~one~~ either of the following: 930

(a) One hundred two per cent of the total amount of all 931
uninsured public deposits; 932

(b) An amount determined by rules adopted by the treasurer of 933
state that set forth the criteria for determining the aggregate 934
market value of the pool of eligible securities pledged by a 935
public depository pursuant to division (B) of this section. Such 936
criteria shall include, but are not limited to, prudent capital 937
and liquidity management by the public depository and the safety 938
and soundness of the public depository as determined by a 939
third-party rating organization. The 940

(2) The treasurer of state shall monitor the eligibility, 941
market value, and face value of the pooled securities pledged by 942
the public depository. Each public depository shall carry in its 943
accounting records at all times a general ledger or other 944
appropriate account of the total amount of all public deposits to 945
be secured by the pool, as determined at the opening of business 946
each day, and the total market value of securities pledged to 947
secure such deposits, and report such information to the treasurer 948
of state in a manner and frequency as determined by the treasurer 949
of state pursuant to rules adopted by the treasurer of state. A 950
public depositor shall be responsible for periodically confirming 951
the accuracy of its account balances with the treasurer of state; 952
otherwise, the treasurer of state shall be the sole public 953
depositor responsible for monitoring and ensuring the sufficiency 954
of securities pledged under this section. 955

(C) The public depository shall designate a qualified trustee 956
approved by the treasurer of state and place with such trustee for 957
safekeeping the eligible securities pledged pursuant to division 958
(B) of this section. The trustee shall hold the eligible 959
securities in an account indicating the treasurer of state's 960
security interest in the eligible securities. The treasurer of 961

state shall give written notice of the trustee to all public 962
depositors for which such securities are pledged. The trustee 963
shall report to the treasurer of state information relating to the 964
securities pledged to secure such public deposits in a manner and 965
frequency as determined by the treasurer of state. 966

(D) In order for a public depository to receive public moneys 967
under this section, the public depository and the treasurer of 968
state shall first execute an agreement that sets forth the entire 969
arrangement among the parties and that meets the requirements 970
described in 12 U.S.C. 1823(e). In addition, the agreement shall 971
authorize the treasurer of state to obtain control of the 972
collateral pursuant to division (D) of section 1308.24 of the 973
Revised Code. 974

(E) The securities or other obligations described in division 975
(D) of section 135.18 of the Revised Code shall be eligible as 976
collateral for the purposes of division (B) of this section, 977
provided no such securities or obligations pledged as collateral 978
are at any time in default as to either principal or interest. 979

(F) Any federal reserve bank or branch thereof located in 980
this state or federal home loan bank, without compliance with 981
Chapter 1111. of the Revised Code and without becoming subject to 982
any other law of this state relative to the exercise by 983
corporations of trust powers generally, is qualified to act as 984
trustee for the safekeeping of securities, under this section. Any 985
institution mentioned in section 135.03 or 135.32 of the Revised 986
Code that holds a certificate of qualification issued by the 987
superintendent of financial institutions or any institution 988
complying with sections 1111.04, 1111.05, and 1111.06 of the 989
Revised Code is qualified to act as trustee for the safekeeping of 990
securities under this section, other than those belonging to 991
itself or to an affiliate as defined in section 1101.01 of the 992
Revised Code. 993

(G) The public depository may substitute, exchange, or 994
release eligible securities deposited with the qualified trustee 995
pursuant to this section, provided that such substitution, 996
exchange, or release is effectuated pursuant to written 997
authorization from the treasurer of state, and such action does 998
not reduce the total market value of the securities to an amount 999
that is less than the amount established pursuant to division (B) 1000
of this section. 1001

(H) Notwithstanding the fact that a public depository is 1002
required to pledge eligible securities in certain amounts to 1003
secure public deposits, a qualified trustee has no duty or 1004
obligation to determine the eligibility, market value, or face 1005
value of any securities deposited with the trustee by a public 1006
depository. This applies in all situations including, but not 1007
limited to, a substitution or exchange of securities, but 1008
excluding those situations effectuated by division (I) of this 1009
section in which the trustee is required to determine face and 1010
market value. 1011

(I) The qualified trustee shall enter into a custodial 1012
agreement with the treasurer of state and public depository in 1013
which the trustee agrees to comply with entitlement orders 1014
originated by the treasurer of state without further consent by 1015
the public depository or, in the case of collateral held by the 1016
public depository in an account at a federal reserve bank, the 1017
treasurer of state shall have the treasurer's security interest 1018
marked on the books of the federal reserve bank where the account 1019
for the collateral is maintained. If the public depository fails 1020
to pay over any part of the public deposits made therein as 1021
provided by law and secured pursuant to division (B) of this 1022
section, the treasurer of state shall give written notice of this 1023
failure to the qualified trustee holding the pool of securities 1024
pledged against the public deposits, and at the same time shall 1025

send a copy of this notice to the public depository. Upon receipt 1026
of this notice, the trustee shall transfer to the treasurer of 1027
state for sale, the pooled securities that are necessary to 1028
produce an amount equal to the public deposits made by the public 1029
depositor and not paid over, less the portion of the deposits 1030
covered by any federal deposit insurance, plus any accrued 1031
interest due on the deposits. The treasurer of state shall sell 1032
any of the bonds or other securities so transferred. When a sale 1033
of bonds or other securities has been so made and upon payment to 1034
the public depositor of the purchase money, the treasurer of state 1035
shall transfer such bonds or securities whereupon the absolute 1036
ownership of such bonds or securities shall pass to the 1037
purchasers. Any surplus after deducting the amount due to the 1038
public depositor and expenses of sale shall be paid to the public 1039
depository. 1040

(J) Any charges or compensation of a qualified trustee for 1041
acting as such under this section shall be paid by the public 1042
depository and in no event shall be chargeable to the public 1043
depositor or to any officer of the public depositor. The charges 1044
or compensation shall not be a lien or charge upon the securities 1045
deposited for safekeeping prior or superior to the rights to and 1046
interests in the securities of the public depositor. The treasurer 1047
and the treasurer's bonders or surety shall be relieved from any 1048
liability to the public depositor or to the public depository for 1049
the loss or destruction of any securities deposited with a 1050
qualified trustee pursuant to this section. 1051

Sec. 164.20. (A) Notwithstanding section 164.01 of the 1052
Revised Code, as used in sections 164.20 to 164.27 of the Revised 1053
Code, "local political subdivision" means a county, municipal 1054
corporation, township, conservancy district, soil and water 1055
conservation district, lake facilities authority, joint recreation 1056
district, park district, or other similar park authority. 1057

(B) As used in sections 164.20 to 164.27 of the Revised Code, 1058
"nonprofit organization" means an organization that is exempt from 1059
federal income taxation pursuant to 26 U.S.C. 501(a) and described 1060
in 26 U.S.C. 501(c) and that has as one of its designated 1061
activities, as indicated on United States internal revenue service 1062
form 1023 "recognition of exemption," an activity that is directly 1063
related to the purposes for which grants may be issued under 1064
sections 164.20 to 164.27 of the Revised Code as described in 1065
divisions (A) and (B) of section 164.22 of the Revised Code. 1066

(C) For the purposes of sections 164.20 to 164.27 of the 1067
Revised Code, the definition of "project" in section 164.01 of the 1068
Revised Code does not apply. 1069

Sec. 189.10. The local government innovation council shall 1070
cease to exist on December 31, ~~2015~~ 2019. 1071

Sec. 353.03. A lake facilities authority may do all of the 1072
following: 1073

(A) Acquire by purchase, lease, gift, or otherwise, on such 1074
terms and in such manner as it considers proper, real and personal 1075
property necessary for an authorized purpose or any estate, 1076
interest, or right therein, within or without the impacted lake 1077
district; 1078

(B) Improve, remediate, maintain, sell, lease, or otherwise 1079
dispose of real and personal property on such terms and in such 1080
manner as it considers proper; 1081

(C) Request that the department of natural resources, the 1082
environmental protection agency, or the department of agriculture 1083
adopt, modify, and enforce reasonable rules and regulations 1084
governing impacted watersheds; 1085

(D) Employ such managers, administrative officers, agents, 1086
engineers, architects, attorneys, contractors, subcontractors, and 1087

employees as may be appropriate in the exercise of the rights, 1088
powers, and duties conferred on it, prescribe the duties and 1089
compensation for such persons, require bonds to be given by any 1090
such persons and by officers of the authority for the faithful 1091
performance of their duties, and fix the amount and surety 1092
therefor, and pay the surety; 1093

(E) Sue and be sued in its corporate name; 1094

(F)(1) Make and enter into all contracts and agreements and 1095
execute all instruments relating to the provisions of this 1096
chapter; 1097

(2) Except as provided otherwise under divisions (F)(2) and 1098
(3) of this section, when the cost of a contract for the 1099
construction of any building, structure, or other improvement 1100
undertaken by a lake facilities authority involves an expenditure 1101
exceeding ~~twenty-five~~ fifty thousand dollars, and the lake 1102
facilities authority is the contracting authority, the lake 1103
facilities authority shall make a written contract after notice 1104
calling for bids for the award of the contract has been given by 1105
publication twice, with at least seven days between publications, 1106
in a newspaper of general circulation in the impacted lake 1107
district. Each such contract shall be awarded to the lowest 1108
responsive and responsible bidder in accordance with section 9.312 1109
of the Revised Code. The board of directors by rule may provide 1110
criteria for the negotiation and award without competitive bidding 1111
of any contract as to which the lake facilities authority is the 1112
contracting authority for the construction of any building or 1113
structure or other improvement under any of the following 1114
circumstances: 1115

(a) There exists a real and present emergency that threatens 1116
damage to property or injury to persons of the lake facilities 1117
authority or other persons, provided that a statement specifying 1118
the nature of the emergency that is the basis for the negotiation 1119

and award of a contract without competitive bidding shall be 1120
signed at the time of the contract's execution by the officer of 1121
the lake facilities authority that executes the contract and shall 1122
be attached to the contract. 1123

(b) A commonly recognized industry or other standard or 1124
specification does not exist and cannot objectively be articulated 1125
for the improvement. 1126

(c) The contract is for any energy conservation measure as 1127
defined in section 307.041 of the Revised Code. 1128

(d) With respect to material to be incorporated into the 1129
improvement, only a single source or supplier exists for the 1130
material. 1131

(e) A single bid is received by the lake facilities authority 1132
after complying with the above provisions. 1133

(3) In addition to the exceptions to competitive bidding 1134
requirements under division (F)(2) of this section, a lake 1135
facilities authority may contract for the acquisition or 1136
construction of any property for an authorized purpose and for the 1137
leasing, subleasing, sale, or other disposition of the property in 1138
a manner determined by the lake facilities authority in its sole 1139
discretion, without necessity for competitive bidding or 1140
performance bonds. 1141

(4) With respect to any public improvement undertaken by, or 1142
under contract for, the lake facilities authority, the authority 1143
may elect to apply sections 4115.03 to 4115.21 of the Revised 1144
Code. 1145

(G) Accept aid or contributions from any source of money, 1146
property, labor, or other things of value, to be held, used, and 1147
applied only for the purposes for which the grants and 1148
contributions are made; 1149

(H) Apply for and accept grants, loans, or commitments of 1150
guarantee or insurance, including any guarantees of lake 1151
facilities authority bonds and notes, from the United States, the 1152
state, or other public body or other sources, and provide any 1153
consideration which may be required in order to obtain such 1154
grants, loans, or contracts of guarantee or insurance; 1155

(I) Procure insurance against loss to the lake facilities 1156
authority by reason of damage to its properties resulting from 1157
fire, theft, accident, or other casualties, or by reason of its 1158
liability for any damages to persons or property occurring in the 1159
construction or operation of facilities or areas under its 1160
jurisdiction or the conduct of its activities; 1161

(J) Maintain such funds or reserves as it considers necessary 1162
for the efficient performance of its duties; 1163

(K) Enforce any covenants, of which the lake facilities 1164
authority is the beneficiary, running with the land. 1165

(L) Issue securities for the remediation of an impacted 1166
watershed and directly related permanent improvements in 1167
compliance with Chapter 133. of the Revised Code, except that such 1168
bonds or notes may be issued only pursuant to a vote of the 1169
electors residing within the impacted lake district. The net 1170
indebtedness incurred by a lake facilities authority pursuant to 1171
this division may not exceed one-tenth of one per cent of the 1172
total value of all property within the territory comprising the 1173
impacted lake district as listed and assessed for taxation. 1174

(M) Issue lake facilities authority revenue bonds beyond the 1175
limit of bonded indebtedness provided by law, payable solely from 1176
revenues as provided in section 353.09 of the Revised Code for the 1177
purpose of providing funds to pay costs of any facility or 1178
facilities or parts thereof; 1179

(N) Advise and provide input to political subdivisions within 1180

the impacted lake district with respect to zoning and land use 1181
planning within the impacted lake district; 1182

(O) Enter into agreements for the management, ownership, 1183
possession, or control of lands or property to be used for wetland 1184
mitigation banking; 1185

(P) Adopt and modify rules and regulations to carry out the 1186
authority granted to the lake facilities authority under this 1187
section. 1188

Sec. 1121.10. (A) As often as the superintendent of financial 1189
institutions considers necessary, but at least once each 1190
twenty-four-month cycle, the superintendent, or any deputy or 1191
examiner appointed by the superintendent for that purpose, shall 1192
thoroughly examine the records and affairs of each bank. The 1193
examination shall include a review of both of the following: 1194

(1) Compliance with law; 1195

(2) Other matters the superintendent determines. 1196

(B) The superintendent may examine the records and affairs of 1197
any of the following as the superintendent considers necessary: 1198

(1) Any party to a proposed reorganization for which the 1199
superintendent's approval is required by section 1115.11 or 1200
1115.14 of the Revised Code; 1201

(2) Any bank, savings and loan association, or savings bank 1202
proposing to convert to a bank doing business under authority 1203
granted by the superintendent for which the superintendent's 1204
approval is required by section 1115.01 of the Revised Code; 1205

(3) Any person proposing to acquire control of a bank for 1206
which the superintendent's approval is required by section 1115.06 1207
of the Revised Code, or who acquired control of a bank without the 1208
approval of the superintendent when that approval was required by 1209
section 1115.06 of the Revised Code, was the bank of which control 1210

is to be, or was, acquired; 1211

(4) Any bank proposing to establish or acquire a branch for 1212
which the superintendent's approval is required by section 1117.02 1213
of the Revised Code; 1214

(5) Any foreign bank that maintains, or proposes to 1215
establish, one or more offices in this state; 1216

(6) Any trust company. 1217

(C) The board of directors or holders of a majority of the 1218
shares of a bank or trust company may request the superintendent 1219
conduct a special examination of the records and affairs of the 1220
bank or trust company. The superintendent has sole discretion over 1221
the scope and timing of a special examination, and may impose 1222
restrictions and limitations on the use of the results of a 1223
special examination in addition to the restrictions and 1224
limitations otherwise imposed by law. ~~The fee for a special 1225
examination shall be paid by the bank or trust company examined in 1226
accordance with section 1121.29 of the Revised Code.~~ 1227

(D) The superintendent may conduct all aspects of an 1228
examination concurrently or may divide the examination into 1229
constituent parts and conduct them at various times. 1230

(E) The superintendent shall preserve the report of each 1231
examination, including related correspondence received and copies 1232
of related correspondence sent, for twenty years after the 1233
examination date. 1234

Sec. 1121.24. (A) ~~If, under Chapters 1101. to 1127. of the 1235
Revised Code, a proposed action or transaction is subject to the 1236
approval of the superintendent of financial institutions or an 1237
opportunity for the superintendent to disapprove, and if the 1238
person proposing the action or transaction is required to submit 1239
an application or notice to the superintendent, then the 1240~~

~~application or notice is not complete and the superintendent shall 1241
not accept it for processing until the person pays the fee 1242
established pursuant to division (C) of section 1121.29 of the 1243
Revised Code. 1244~~

~~(B)(1) If, under Chapters 1101. to 1127. of the Revised Code, 1245
a proposed action or transaction is subject to the approval of the 1246
superintendent or an opportunity for the superintendent to 1247
disapprove and the superintendent must make that determination 1248
within a certain time, and if the person proposing the action or 1249
transaction is required to submit an application or notice to the 1250
superintendent, then the time in which the superintendent must 1251
make the determination does not begin to run until the 1252
superintendent has determined the application or notice is 1253
complete and has accepted it for processing. 1254~~

~~(2) Division ~~(B)~~(A)(1) of this section does not prohibit 1255
either of the following: 1256~~

~~(a) The superintendent from denying, or issuing a disapproval 1257
of, an application or notice, prior to the superintendent's 1258
acceptance of the application or notice for processing, on the 1259
basis that the person who submitted the application or notice 1260
failed to include all of the items and address all of the issues 1261
required for the application or notice, if both of the following 1262
apply: 1263~~

~~(i) The superintendent advised the person that the 1264
application or notice was incomplete. 1265~~

~~(ii) After being advised by the superintendent that the 1266
application or notice was incomplete, the person did not, within a 1267
reasonable period of time, complete the application or notice. 1268~~

~~(b) The superintendent from denying, or issuing a disapproval 1269
of, an application or notice on the basis that the person who 1270
submitted the application or notice failed to provide the 1271~~

information necessary for the superintendent to adequately 1272
consider the application or notice after the superintendent's 1273
acceptance of the application or notice for processing, if both of 1274
the following apply: 1275

(i) After having begun processing the application or notice, 1276
the superintendent determined and advised the person that 1277
additional information was necessary to adequately consider the 1278
application or notice. 1279

(ii) After being advised by the superintendent that 1280
additional information was necessary to adequately consider the 1281
application or notice, the person did not, within a reasonable 1282
period of time, provide that information. 1283

~~(C)~~(B) A determination by the superintendent that an 1284
application or notice is complete and is accepted for processing 1285
means only that the application or notice, on its face, appears to 1286
include all of the items and to address all of the matters that 1287
are required. A determination by the superintendent that an 1288
application or notice is complete and is accepted for processing 1289
is not an assessment of the substance of the application or 1290
notice, or of the sufficiency of the information provided. 1291

Sec. 1123.03. The banking commission shall do all of the 1292
following: 1293

(A) Make recommendations to the deputy superintendent for 1294
banks and the superintendent of financial institutions on the 1295
business of banking; 1296

(B) Consider and make recommendations on any matter the 1297
superintendent or deputy superintendent submits to the commission 1298
for that purpose; 1299

(C) Pass upon and determine any matter the superintendent or 1300
deputy superintendent submits to the commission for determination; 1301

(D) Consider and determine whether to confirm the annual	1302
schedule of assessments proposed by the superintendent in	1303
accordance with section 1121.29 of the Revised Code;	1304
(E) Determine whether to increase the schedule of assessments	1305
as provided in division (A)(3) of section 1121.29 of the Revised	1306
Code;	1307
(F) Determine, as provided in division (D) of section 1121.12	1308
of the Revised Code, both of the following:	1309
(1) Whether there is reasonable cause to believe that there	1310
is a significant risk of imminent material harm to the bank;	1311
(2) Whether the examination of the bank holding company is	1312
necessary to fully determine the risk to the bank, or to determine	1313
how best to address the risk to the bank.	1314
Sec. 1181.17. The savings and loan associations and savings	1315
banks board shall do all of the following:	1316
(A) Make recommendations to the superintendent of financial	1317
institutions and the deputy superintendent for savings and loan	1318
associations and savings banks on matters relating to the business	1319
of savings and loan associations and savings banks;	1320
(B) Consider and make recommendations upon any matter	1321
addressed in Chapters 1151., 1153., 1155., 1157., 1161., 1163.,	1322
and 1165. of the Revised Code that the superintendent or deputy	1323
superintendent submits to the board for that purpose;	1324
(C) Pass upon and determine any matter the superintendent or	1325
deputy superintendent submits to the board for determination;	1326
(D) Submit to the governor proposed amendments to the savings	1327
and loan associations or savings banks laws of this state;	1328
(E) Consider and determine whether to confirm the annual	1329
schedule of assessments proposed by the superintendent of	1330

~~financial institutions in accordance with division (A) of sections 1331
1155.13 and 1163.16 of the Revised Code. 1332~~

Sec. 3307.01. As used in this chapter: 1333

(A) "Employer" means the board of education, school district, 1334
governing authority of any community school established under 1335
Chapter 3314. of the Revised Code, a science, technology, 1336
engineering, and mathematics school established under Chapter 1337
3326. of the Revised Code, college, university, institution, or 1338
other agency within the state by which a teacher is employed and 1339
paid. 1340

(B)(1) "Teacher" means all of the following: 1341

(a) Any person paid from public funds and employed in the 1342
public schools of the state under any type of contract described 1343
in section 3311.77 or 3319.08 of the Revised Code in a position 1344
for which the person is required to have a license issued pursuant 1345
to sections 3319.22 to 3319.31 of the Revised Code; 1346

(b) Except as provided in division (B)(2)(b) or (c) of this 1347
section, any person employed as a teacher or faculty member in a 1348
community school or a science, technology, engineering, and 1349
mathematics school pursuant to Chapter 3314. or 3326. of the 1350
Revised Code; 1351

(c) Any person having a license issued pursuant to sections 1352
3319.22 to 3319.31 of the Revised Code and employed in a public 1353
school in this state in an educational position, as determined by 1354
the state board of education, under programs provided for by 1355
federal acts or regulations and financed in whole or in part from 1356
federal funds, but for which no licensure requirements for the 1357
position can be made under the provisions of such federal acts or 1358
regulations; 1359

(d) Any other teacher or faculty member employed in any 1360

school, college, university, institution, or other agency wholly 1361
controlled and managed, and supported in whole or in part, by the 1362
state or any political subdivision thereof, including Central 1363
state university, Cleveland state university, and the university 1364
of Toledo; 1365

(e) The educational employees of the department of education, 1366
as determined by the state superintendent of public instruction. 1367

In all cases of doubt, the state teachers retirement board 1368
shall determine whether any person is a teacher, and its decision 1369
shall be final. 1370

(2) "Teacher" does not include any of the following: 1371

(a) Any eligible employee of a public institution of higher 1372
education, as defined in section 3305.01 of the Revised Code, who 1373
elects to participate in an alternative retirement plan 1374
established under Chapter 3305. of the Revised Code; 1375

(b) Any person employed by a community school operator, as 1376
defined in section 3314.02 of the Revised Code, ~~for whom~~ if on or 1377
before February 1, 2016, the school's operator ~~withholds~~ was 1378
withholding and ~~pays~~ paying employee and employer taxes pursuant 1379
to 26 U.S.C. 3101(a) and 3111(a) for persons employed in the 1380
school as teachers, unless the person had contributing service in 1381
a community school in the state within one year prior to the later 1382
of ~~July~~ February 1, 2016, or the date on which the operator for 1383
the first time withholds and pays employee and employer taxes 1384
pursuant to 26 U.S.C. 3101(a) and 3111(a) for that person; 1385

(c) Any person who would otherwise be a teacher under 1386
division (B)(2)(b) of this section who terminates employment with 1387
a community school operator and has no contributing service in a 1388
community school in the state for a period of at least one year 1389
from the date of termination of employment. 1390

(C) "Member" means any person included in the membership of 1391

the state teachers retirement system, which shall consist of all 1392
teachers and contributors as defined in divisions (B) and (D) of 1393
this section and all disability benefit recipients, as defined in 1394
section 3307.50 of the Revised Code. However, for purposes of this 1395
chapter, the following persons shall not be considered members: 1396

(1) A student, intern, or resident who is not a member while 1397
employed part-time by a school, college, or university at which 1398
the student, intern, or resident is regularly attending classes; 1399

(2) A person denied membership pursuant to section 3307.24 of 1400
the Revised Code; 1401

(3) An other system retirant, as defined in section 3307.35 1402
of the Revised Code, or a superannuate; 1403

(4) An individual employed in a program established pursuant 1404
to the "Job Training Partnership Act," 96 Stat. 1322 (1982), 29 1405
U.S.C.A. 1501; 1406

(5) The surviving spouse of a member or retirant if the 1407
surviving spouse's only connection to the retirement system is an 1408
account in an STRS defined contribution plan. 1409

(D) "Contributor" means any person who has an account in the 1410
teachers' savings fund or defined contribution fund, except that 1411
"contributor" does not mean a member or retirant's surviving 1412
spouse with an account in an STRS defined contribution plan. 1413

(E) "Beneficiary" means any person eligible to receive, or in 1414
receipt of, a retirement allowance or other benefit provided by 1415
this chapter. 1416

(F) "Year" means the year beginning the first day of July and 1417
ending with the thirtieth day of June next following, except that 1418
for the purpose of determining final average salary under the plan 1419
described in sections 3307.50 to 3307.79 of the Revised Code, 1420
"year" may mean the contract year. 1421

(G) "Local district pension system" means any school teachers pension fund created in any school district of the state in accordance with the laws of the state prior to September 1, 1920.

(H) "Employer contribution" means the amount paid by an employer, as determined by the employer rate, including the normal and deficiency rates, contributions, and funds wherever used in this chapter.

(I) "Five years of service credit" means employment covered under this chapter and employment covered under a former retirement plan operated, recognized, or endorsed by a college, institute, university, or political subdivision of this state prior to coverage under this chapter.

(J) "Actuary" means an actuarial professional contracted with or employed by the state teachers retirement board, who shall be either of the following:

(1) A member of the American academy of actuaries;

(2) A firm, partnership, or corporation of which at least one person is a member of the American academy of actuaries.

(K) "Fiduciary" means a person who does any of the following:

(1) Exercises any discretionary authority or control with respect to the management of the system, or with respect to the management or disposition of its assets;

(2) Renders investment advice for a fee, direct or indirect, with respect to money or property of the system;

(3) Has any discretionary authority or responsibility in the administration of the system.

(L)(1) Except as provided in this division, "compensation" means all salary, wages, and other earnings paid to a teacher by reason of the teacher's employment, including compensation paid pursuant to a supplemental contract. The salary, wages, and other

earnings shall be determined prior to determination of the amount 1452
required to be contributed to the teachers' savings fund or 1453
defined contribution fund under section 3307.26 of the Revised 1454
Code and without regard to whether any of the salary, wages, or 1455
other earnings are treated as deferred income for federal income 1456
tax purposes. 1457

(2) Compensation does not include any of the following: 1458

(a) Payments for accrued but unused sick leave or personal 1459
leave, including payments made under a plan established pursuant 1460
to section 124.39 of the Revised Code or any other plan 1461
established by the employer; 1462

(b) Payments made for accrued but unused vacation leave, 1463
including payments made pursuant to section 124.13 of the Revised 1464
Code or a plan established by the employer; 1465

(c) Payments made for vacation pay covering concurrent 1466
periods for which other salary, compensation, or benefits under 1467
this chapter or Chapter 145. or 3309. of the Revised Code are 1468
paid; 1469

(d) Amounts paid by the employer to provide life insurance, 1470
sickness, accident, endowment, health, medical, hospital, dental, 1471
or surgical coverage, or other insurance for the teacher or the 1472
teacher's family, or amounts paid by the employer to the teacher 1473
in lieu of providing the insurance; 1474

(e) Incidental benefits, including lodging, food, laundry, 1475
parking, or services furnished by the employer, use of the 1476
employer's property or equipment, and reimbursement for 1477
job-related expenses authorized by the employer, including moving 1478
and travel expenses and expenses related to professional 1479
development; 1480

(f) Payments made by the employer in exchange for a member's 1481
waiver of a right to receive any payment, amount, or benefit 1482

described in division (L)(2) of this section;	1483
(g) Payments by the employer for services not actually rendered;	1484 1485
(h) Any amount paid by the employer as a retroactive increase in salary, wages, or other earnings, unless the increase is one of the following:	1486 1487 1488
(i) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for teaching and not designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses;	1489 1490 1491 1492 1493 1494
(ii) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses;	1495 1496 1497 1498 1499 1500
(iii) A retroactive increase paid to a member employed by a school district board of education as a superintendent that is also paid as described in division (L)(2)(h)(i) of this section;	1501 1502 1503
(iv) A retroactive increase paid to a member employed by an employer other than a school district board of education in accordance with uniform criteria applicable to all members employed by the employer.	1504 1505 1506 1507
(i) Payments made to or on behalf of a teacher that are in excess of the annual compensation that may be taken into account by the retirement system under division (a)(17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401(a)(17), as amended. For a teacher who first establishes membership before July 1, 1996, the annual compensation that may	1508 1509 1510 1511 1512 1513

be taken into account by the retirement system shall be determined 1514
under division (d)(3) of section 13212 of the "Omnibus Budget 1515
Reconciliation Act of 1993," Pub. L. No. 103-66, 107 Stat. 472. 1516

(j) Payments made under division (B), (C), or (E) of section 1517
5923.05 of the Revised Code, Section 4 of Substitute Senate Bill 1518
No. 3 of the 119th general assembly, Section 3 of Amended 1519
Substitute Senate Bill No. 164 of the 124th general assembly, or 1520
Amended Substitute House Bill No. 405 of the 124th general 1521
assembly; 1522

(k) Anything of value received by the teacher that is based 1523
on or attributable to retirement or an agreement to retire; 1524

(l) Any amount paid by the employer as a retroactive payment 1525
of earnings, damages, or back pay pursuant to a court order, 1526
court-adopted settlement agreement, or other settlement agreement, 1527
unless the retirement system receives both of the following: 1528

(i) Teacher and employer contributions under sections 3307.26 1529
and 3307.28 of the Revised Code, plus interest compounded annually 1530
at a rate determined by the board, for each year or portion of a 1531
year for which amounts are paid under the order or agreement; 1532

(ii) Teacher and employer contributions under sections 1533
3307.26 and 3307.28 of the Revised Code, plus interest compounded 1534
annually at a rate determined by the board, for each year or 1535
portion of a year not subject to division (L)(2)(1)(i) of this 1536
section for which the board determines the teacher was improperly 1537
paid, regardless of the teacher's ability to recover on such 1538
amounts improperly paid. 1539

(3) The retirement board shall determine both of the 1540
following: 1541

(a) Whether particular forms of earnings are included in any 1542
of the categories enumerated in this division; 1543

(b) Whether any form of earnings not enumerated in this 1544
division is to be included in compensation. 1545

Decisions of the board made under this division shall be 1546
final. 1547

(M) "Superannuate" means both of the following: 1548

(1) A former teacher receiving from the system a retirement 1549
allowance under section 3307.58 or 3307.59 of the Revised Code; 1550

(2) A former teacher receiving a benefit from the system 1551
under a plan established under section 3307.81 of the Revised 1552
Code, except that "superannuate" does not include a former teacher 1553
who is receiving a benefit based on disability under a plan 1554
established under section 3307.81 of the Revised Code. 1555

For purposes of sections 3307.35 and 3307.353 of the Revised 1556
Code, "superannuate" also means a former teacher receiving from 1557
the system a combined service retirement benefit paid in 1558
accordance with section 3307.57 of the Revised Code, regardless of 1559
which retirement system is paying the benefit. 1560

(N) "STRS defined benefit plan" means the plan described in 1561
sections 3307.50 to 3307.79 of the Revised Code. 1562

(O) "STRS defined contribution plan" means the plans 1563
established under section 3307.81 of the Revised Code and includes 1564
the STRS combined plan under that section. 1565

(P) "Faculty" means the teaching staff of a university, 1566
college, or school, including any academic administrators. 1567

Sec. 3309.013. (A) As used in this section, "operator" has 1568
the same meaning as in section 3314.02 of the Revised Code. 1569

(B) "Employee," as defined in division (B) of section 3309.01 1570
of the Revised Code, does not include either of the following: 1571

(1) Any person initially employed on or after July 1, 2016, 1572

by a community school operator and for whom the operator withholds 1573
and pays employee and employer taxes pursuant to 26 U.S.C. 3101(a) 1574
and 3111(a) beginning with the first paycheck after commencing 1575
initial employment; 1576

(2) Except as provided in division (C) of this section, any 1577
person who is a former employee of a community school operator who 1578
is reemployed on or after July 1, 2016, by that operator and for 1579
whom the operator withholds and pays employee and employer taxes 1580
pursuant to 26 U.S.C. 3101(a) and 3111(a) beginning with the first 1581
paycheck after commencing reemployment with that operator. 1582

(C) Division (B)(2) of this section does not apply to either 1583
of the following: 1584

(1) Any person who was employed by the same operator at any 1585
time within the period of July 1, 2015, to June 30, 2016, and 1586
whose date of reemployment is before July 1, 2017; 1587

(2) Any person to whom both of the following apply: 1588

(a) The person was employed by the same operator at any time 1589
in the twelve-month period preceding the date the operator for the 1590
first time withholds and pays employee and employer taxes pursuant 1591
to 26 U.S.C. 3101(a) and 3111(a) on behalf of its employees and 1592
had previously only contributed to the school employees retirement 1593
system; 1594

(b) The person's date of reemployment is not more than twelve 1595
months after the date the operator for the first time withholds 1596
and pays employee and employer taxes pursuant to 26 U.S.C. 3101(a) 1597
and 3111(a). 1598

(D) This section applies only to a community school operator 1599
that was withholding and paying employee and employer taxes 1600
pursuant to 26 U.S.C. 3101(a) and 3111(a) on or before February 1, 1601
2016, for persons employed in the school. 1602

Sec. 3313.976. (A) No private school may receive scholarship 1603
payments from parents pursuant to section 3313.979 of the Revised 1604
Code until the chief administrator of the private school registers 1605
the school with the superintendent of public instruction. The 1606
state superintendent shall register any school that meets the 1607
following requirements: 1608

(1) The school either: 1609

(a) Offers any of grades kindergarten through twelve and is 1610
located within the boundaries of the pilot project school 1611
district; 1612

(b) Offers any of grades nine through twelve and is located 1613
within the boundaries of a city, local, or exempted village school 1614
district that is both: 1615

(i) Located in a municipal corporation with a population of 1616
~~fifty~~ fifteen thousand or more; 1617

(ii) Located within five miles of the border of the pilot 1618
project school district. 1619

(2) The school indicates in writing its commitment to follow 1620
all requirements for a state-sponsored scholarship program 1621
specified under sections 3313.974 to 3313.979 of the Revised Code, 1622
including, but not limited to, the requirements for admitting 1623
students pursuant to section 3313.977 of the Revised Code; 1624

(3) The school meets all state minimum standards for 1625
chartered nonpublic schools in effect on July 1, 1992, except that 1626
the state superintendent at the superintendent's discretion may 1627
register nonchartered nonpublic schools meeting the other 1628
requirements of this division; 1629

(4) The school does not discriminate on the basis of race, 1630
religion, or ethnic background; 1631

(5) The school enrolls a minimum of ten students per class or 1632

a sum of at least twenty-five students in all the classes offered; 1633

(6) The school does not advocate or foster unlawful behavior 1634
or teach hatred of any person or group on the basis of race, 1635
ethnicity, national origin, or religion; 1636

(7) The school does not provide false or misleading 1637
information about the school to parents, students, or the general 1638
public; 1639

(8) For students in grades kindergarten through eight with 1640
family incomes at or below two hundred per cent of the federal 1641
poverty guidelines, as defined in section 5104.46 of the Revised 1642
Code, the school agrees not to charge any tuition in excess of the 1643
scholarship amount established pursuant to division (C)(1) of 1644
section 3313.978 of the Revised Code, excluding any increase 1645
described in division (C)(2) of that section. 1646

(9) For students in grades kindergarten through eight with 1647
family incomes above two hundred per cent of the federal poverty 1648
guidelines, whose scholarship amounts are less than the actual 1649
tuition charge of the school, the school agrees not to charge any 1650
tuition in excess of the difference between the actual tuition 1651
charge of the school and the scholarship amount established 1652
pursuant to division (C)(1) of section 3313.978 of the Revised 1653
Code, excluding any increase described in division (C)(2) of that 1654
section. The school shall permit such tuition, at the discretion 1655
of the parent, to be satisfied by the family's provision of 1656
in-kind contributions or services. 1657

(10) The school agrees not to charge any tuition to families 1658
of students in grades nine through twelve receiving a scholarship 1659
in excess of the actual tuition charge of the school less the 1660
scholarship amount established pursuant to division (C)(1) of 1661
section 3313.978 of the Revised Code, excluding any increase 1662
described in division (C)(2) of that section. 1663

(11) Except as provided in division (K)(1)(b)(ii) of section 1664
3301.0711 of the Revised Code, if the school is not subject to 1665
division (K)(1)(a) of section 3301.0711 of the Revised Code, it 1666
annually administers the applicable assessments prescribed by 1667
section 3301.0710 or 3301.0712 of the Revised Code to each 1668
scholarship student enrolled in the school in accordance with 1669
section 3301.0711 or 3301.0712 of the Revised Code and reports to 1670
the department of education the results of each such assessment 1671
administered to each scholarship student. 1672

(B) The state superintendent shall revoke the registration of 1673
any school if, after a hearing, the superintendent determines that 1674
the school is in violation of any of the provisions of division 1675
(A) of this section. 1676

(C) Any public school located in a school district adjacent 1677
to the pilot project district may receive scholarship payments on 1678
behalf of parents pursuant to section 3313.979 of the Revised Code 1679
if the superintendent of the district in which such public school 1680
is located notifies the state superintendent prior to the first 1681
day of March that the district intends to admit students from the 1682
pilot project district for the ensuing school year pursuant to 1683
section 3327.06 of the Revised Code. 1684

(D) Any parent wishing to purchase tutorial assistance from 1685
any person or governmental entity pursuant to the pilot project 1686
program under sections 3313.974 to 3313.979 of the Revised Code 1687
shall apply to the state superintendent. The state superintendent 1688
shall approve providers who appear to possess the capability of 1689
furnishing the instructional services they are offering to 1690
provide. 1691

Sec. 3314.085. (A) For purposes of this section: 1692

(1) "Formula amount" has the same meaning as in section 1693
3317.02 of the Revised Code. 1694

(2) "Four-year adjusted cohort graduation rate" has the same meaning as in section 3302.01 of the Revised Code.

(3) A community school's "third-grade reading proficiency percentage" means the ~~following quotient:~~

~~The number percentage of the school's students scoring at a proficient level of skill or higher on the third-grade English language arts assessment prescribed under division (A)(1)(a) of section 3301.0710 of the Revised Code for the immediately preceding school year / the total number of the school's students required to take that assessment for the immediately preceding school year, as reported on the school's report card under section 3302.03 of the Revised Code.~~

(B) In addition to the payments made under section 3314.08 of the Revised Code, the department of education shall annually pay to each community school both of the following:

(1) A graduation bonus calculated according to the following formula:

The school's four-year adjusted cohort graduation rate on its most recent report card issued by the department under section 3302.03 or 3314.017 of the Revised Code X 0.075 X the formula amount X the number of the school's graduates reported to the department, in accordance with the guidelines adopted under section 3301.0714 of the Revised Code, for the same school year for which the most recent report card was issued

(2) A third-grade reading bonus calculated according to the following formula:

The school's third-grade reading proficiency percentage X 0.075 X the formula amount X the number of the school's students scoring at a proficient level or higher on the third-grade English language arts assessment prescribed under division (A)(1)(a) of section 3301.0710 of the Revised Code for the immediately

preceding school year 1726

Sec. 3317.0216. (A) For purposes of this section, a city, 1727
local, or exempted village school district's "third-grade reading 1728
proficiency percentage" means the ~~following quotient:~~ 1729

~~The number percentage~~ of the district's students scoring at a 1730
proficient level of skill or higher on the third-grade English 1731
language arts assessment prescribed under division (A)(1)(a) of 1732
section 3301.0710 of the Revised Code for the immediately 1733
preceding school year ~~/ the total number of the district's~~ 1734
~~students required to take that assessment for the immediately~~ 1735
~~preceding school year, as reported on the district's report card~~ 1736
under section 3302.03 of the Revised Code. 1737

(B) The department of education shall annually calculate a 1738
third-grade reading bonus for each city, local, and exempted 1739
village school district according to the following formula: 1740

The district's third-grade reading proficiency percentage X 0.075 1741
X the formula amount X the number of the district's students 1742
scoring at a proficient level of skill or higher on the 1743
third-grade English language arts assessment prescribed under 1744
division (A)(1)(a) of section 3301.0710 of the Revised Code for 1745
the immediately preceding school year X the district's state share 1746
index 1747

Sec. 3318.71. (A) As used in this section: 1748

(1) "Acquisition of classroom facilities" has the same 1749
meaning as in section 3318.40 of the Revised Code. 1750

(2) "Classroom facilities" has the same meaning as in section 1751
3318.01 of the Revised Code. 1752

(3) "Qualifying partnership" means a group of city, exempted 1753
village, or local school districts that are part of a 1754
career-technical education compact and have entered into an 1755

agreement for joint or cooperative establishment and operation of 1756
a science, technology, engineering, and mathematics education 1757
program under section 3313.842 of the Revised Code. The aggregate 1758
territory of the school districts composing a qualifying 1759
partnership shall be located in two adjacent counties, each having 1760
a population greater than forty thousand, but less than fifty 1761
thousand, and at least one of which borders another state. 1762

(B) The Ohio school facilities commission shall establish 1763
guidelines for assisting a qualifying partnership in the 1764
acquisition of classroom facilities to be used for a joint 1765
science, technology, engineering, and mathematics education 1766
program. 1767

(C) Upon receipt of a written proposal from a qualifying 1768
partnership, the commission, subject to approval of the 1769
controlling board, shall provide funding to assist that qualifying 1770
partnership in the acquisition of classroom facilities described 1771
in division (B) of this section. The proposal of the qualifying 1772
partnership shall be submitted in a form and in the manner 1773
prescribed by the commission. The proposal shall indicate both the 1774
total amount of funding requested from the commission and the 1775
amount of other funding pledged for the acquisition of the 1776
classroom facilities, the latter of which shall not be less than 1777
the total amount of funding requested from the commission. Once 1778
the commission determines a proposal meets its established 1779
guidelines, and if the controlling board approves that funding, 1780
the commission shall enter into an agreement with the qualifying 1781
partnership for the acquisition of the classroom facilities and 1782
shall encumber, in accordance with section 3318.11 of the Revised 1783
Code, the approved funding from the amounts appropriated to the 1784
commission for classroom facilities assistance projects. The 1785
agreement shall include a stipulation of the ownership of the 1786
classroom facilities in the event the qualifying partnership 1787

ceases to exist. 1788

(D) A qualifying partnership may levy taxes and issue bonds 1789
under section 5705.2112 or 5705.2113 of the Revised Code to use 1790
for all or part of the funding pledged for the acquisition of 1791
classroom facilities under division (C) of this section. If a 1792
qualifying partnership chooses to levy taxes or issue bonds for 1793
this purpose, it shall select one of the districts that is a 1794
member of the qualifying partnership to be the fiscal agent of the 1795
qualifying partnership for purposes of ~~section 5705.2112 of the~~ 1796
~~Revised Code~~ those sections. 1797

Sec. 3319.271. (A) As used in this section, the "bright new 1798
leaders for Ohio schools program" means the program created and 1799
implemented by the nonprofit corporation incorporated pursuant to 1800
Section 733.40 of Am. Sub. H.B. 59 of the 130th general assembly 1801
to provide an alternative path for individuals to receive training 1802
and development in the administration of primary and secondary 1803
education and leadership, enable those individuals to earn degrees 1804
and obtain licenses in public school administration, and promote 1805
the placement of those individuals in public schools that have a 1806
poverty percentage greater than fifty per cent. 1807

(B) The state board of education shall issue an alternative 1808
principal license or an ~~alternative~~ administrator license, as 1809
applicable, to an individual who successfully completes the bright 1810
new leaders for Ohio schools program and satisfies the 1811
requirements in rules adopted by the state board under division 1812
(C) of this section. 1813

(C) The state board, in consultation with the board of 1814
directors of the bright new leaders for Ohio schools program, 1815
shall adopt rules that prescribe the requirements for obtaining an 1816
alternative principal license or an ~~alternative~~ administrator 1817
license under this section. The state board shall use the rules 1818

adopted under section 3319.27 of the Revised Code as guidance in 1819
developing the rules adopted under this division. 1820

Sec. 3333.93. (A) As used in this section: 1821

(1) "Eligible student" means a student who is enrolled in a 1822
public or private institution and is pursuing a qualifying degree, 1823
certification, or license. 1824

(2) "In-demand job" means a job that is determined to be in 1825
demand in this state and its regions under section 6301.11 of the 1826
Revised Code. 1827

(3) "Public or private institution" means any of the 1828
following: 1829

(a) A state institution of higher education, as defined in 1830
section 3345.011 of the Revised Code; 1831

(b) A private, nonprofit institution in this state holding a 1832
certificate of authorization pursuant to Chapter 1713. of the 1833
Revised Code; 1834

(c) An Ohio technical center that provides adult technical 1835
education services as recognized by the chancellor of higher 1836
education. 1837

(4) "Qualifying degree, certification, or license" means a 1838
degree, certification, or license that is required to qualify an 1839
individual for an in-demand job. 1840

(B) The workforce grant program is hereby established. Under 1841
the program, the chancellor of higher education shall award grants 1842
to eligible students. 1843

(C)(1) A grant shall be awarded to an eligible student for 1844
the period of time the student takes to complete a qualifying 1845
degree, certification, or license. On an annual basis, the maximum 1846
amount of a grant that may be awarded to an eligible student shall 1847

be five thousand dollars. The grant shall not exceed seventy-five 1848
per cent of the cost of tuition during an academic year in which 1849
the student is receiving the grant. The greatest portion of the 1850
grant shall be distributed to the student as the student is 1851
completing the academic program and seeking an in-demand job. 1852

(2) No public or private institution shall use grant moneys 1853
dispersed under the program to underwrite a tuition increase 1854
imposed on students attending the institution. 1855

(D) The chancellor shall adopt rules regarding the operations 1856
of the grant program, including all of the following: 1857

(1) Application procedures; 1858

(2) The method for selecting grant recipients that shall 1859
include both of the following: 1860

(a) An assessment of an applicant's need for financial aid, 1861
including sources of income and other financial aid the applicant 1862
has been awarded; 1863

(b) An analysis of whether the degree, certification, or 1864
license that is being pursued by an applicant is a qualifying 1865
degree, certification, or license. 1866

(3) Milestones that must be attained by a grant recipient in 1867
order to continue to receive a grant under this section, including 1868
spending thirty to ninety days in a workplace where the degree, 1869
certification, or license that is being pursued by the grant 1870
recipient is required for employment or participating in a 1871
cooperative or internship program in a workplace where the degree, 1872
certification, or license that is being pursued by the grant 1873
recipient is required for employment; 1874

(4) Other requirements that must be completed by a grant 1875
recipient, including both of the following: 1876

(a) The completion of curriculum that includes skills needed 1877

<u>by employers;</u>	1878
<u>(b) The completion of counseling regarding the proper management of student loans and how to minimize the amount of student loan debt.</u>	1879 1880 1881
<u>(5) The method for determining the distribution of a grant to a grant recipient, including both of the following:</u>	1882 1883
<u>(a) The amount of each disbursement;</u>	1884
<u>(b) The schedule for making disbursements to a grant recipient.</u>	1885 1886
<u>(6) Establishing a procedure for a public or private institution to take disciplinary action against a student who fails to continue in an academic program leading to a qualifying degree, certification, or license after receiving a grant, including determining appropriate reimbursements.</u>	1887 1888 1889 1890 1891
<u>(E) The department of higher education, in consultation with the department of education, shall establish a procedure for training and outreach for school counselors to allow them to distribute information to high school students in this state regarding the jobs that are determined to be in-demand jobs and the educational requirements for employment in those jobs.</u>	1892 1893 1894 1895 1896 1897
<u>(F) The department of higher education shall solicit proposals to coordinate and conduct the statewide promotion of the workforce grant program through a request for proposals. The department shall advertise its intent to request proposals in a newspaper of general circulation in the state once a week for two consecutive weeks before a date specified by the board as the date on which it will begin accepting proposals. The notices shall contain a general description of the subject of the proposed agreement and the location where the request for proposals may be obtained. The request for proposals shall include the following information:</u>	1898 1899 1900 1901 1902 1903 1904 1905 1906 1907 1908

<u>(1) Instructions concerning the submission of proposals;</u>	1909
<u>(2) Information regarding communications, including how to contact persons to whom questions concerning a proposal may be directed;</u>	1910 1911 1912
<u>(3) A description of the performance criteria that will be used to evaluate a proposal;</u>	1913 1914
<u>(4) The relative importance of each evaluation criterion;</u>	1915
<u>(5) Any terms or conditions of the proposed contract.</u>	1916
<u>After the date specified for receiving proposals, the department shall evaluate submitted proposals. The department may discuss a respondent's proposal with that respondent to clarify or revise a proposal or the terms of the agreement. After reviewing the proposals, the department may enter into a written agreement with one of the respondents to administer the statewide promotion of the program.</u>	1917 1918 1919 1920 1921 1922 1923
<u>(G) The chancellor, in consultation with the governor's office of workforce transformation and the departments of job and family services and taxation, shall do all of the following:</u>	1924 1925 1926
<u>(1) Develop a methodology for collecting all of the following information:</u>	1927 1928
<u>(a) The total number of grants awarded to eligible students;</u>	1929
<u>(b) The total grant amount awarded to each grant recipient;</u>	1930
<u>(c) The job field and occupation a grant recipient holds twelve months following the completion of a program;</u>	1931 1932
<u>(d) The income level of each grant recipient.</u>	1933
<u>(2) Perform a cost-benefit analysis comparing the costs of the program against the earnings generated by grant recipients based on the information collected in division (G)(1) of this section.</u>	1934 1935 1936 1937

(3) Submit a report to the governor and the general assembly 1938
describing the results of the analysis required under division (G) 1939
of this section not later than December 31, 2018. 1940

Sec. 3335.361. ~~Any~~ If any policy or guideline established by 1941
OSU extension ~~that~~ requires volunteers for 4-H programs to be 1942
fingerprinted ~~shall do both of the following:~~ 1943

~~(A) Require only individuals who become volunteers for those~~ 1944
~~programs on or after the effective date of this section to be~~ 1945
~~fingerprinted:~~ 1946

~~(B) Require those individuals to be fingerprinted only one~~ 1947
~~time.~~ 1948

~~OSU extension shall modify any policy or guideline regarding~~ 1949
~~fingerprinting of volunteers for 4-H programs that has been~~ 1950
~~established prior to the effective date of this section to comply~~ 1951
~~with this section for purposes of a criminal records check~~ 1952
~~conducted by the bureau of criminal identification and~~ 1953
~~investigation, or a vendor approved by the bureau, OSU extension~~ 1954
~~shall pay any fee required under division (C)(3) of section~~ 1955
~~109.572 of the Revised Code.~~ 1956

Sec. 3702.59. (A) The director of health shall accept for 1957
review certificate of need applications as provided in sections 1958
3702.592, 3702.593, and 3702.594 of the Revised Code. 1959

(B)(1) The director shall not approve an application for a 1960
certificate of need for the addition of long-term care beds to an 1961
existing long-term care facility or for the development of a new 1962
long-term care facility if any of the following apply: 1963

(a) The existing long-term care facility in which the beds 1964
are being placed has one or more waivers for life safety code 1965
deficiencies, one or more state fire code violations, or one or 1966
more state building code violations, and the project identified in 1967

the application does not propose to correct all life safety code 1968
deficiencies for which a waiver has been granted, all state fire 1969
code violations, and all state building code violations at the 1970
existing long-term care facility in which the beds are being 1971
placed; 1972

(b) During the sixty-month period preceding the filing of the 1973
application, a notice of proposed license revocation was issued 1974
under section 3721.03 of the Revised Code for the existing 1975
long-term care facility in which the beds are being placed or a 1976
nursing home owned or operated by the applicant or a principal 1977
participant, unless in the case of such a nursing home the notice 1978
was issued solely because the nursing home had already closed or 1979
ceased operations. 1980

(c) During the period that precedes the filing of the 1981
application and is encompassed by the three most recent standard 1982
surveys of the existing long-term care facility in which the beds 1983
are being placed, any of the following occurred: 1984

(i) The facility was cited on three or more separate 1985
occasions for final, nonappealable actual harm but not immediate 1986
jeopardy deficiencies. 1987

(ii) The facility was cited on two or more separate occasions 1988
for final, nonappealable immediate jeopardy deficiencies. 1989

(iii) The facility was cited on two separate occasions for 1990
final, nonappealable actual harm but not immediate jeopardy 1991
deficiencies and on one occasion for a final, nonappealable 1992
immediate jeopardy deficiency. 1993

(d) More than two nursing homes owned or operated in this 1994
state by the applicant or a principal participant or, if the 1995
applicant or a principal participant owns or operates more than 1996
twenty nursing homes in this state, more than ten per cent of 1997
those nursing homes, were each cited during the period that 1998

precedes the filing of the application for the certificate of need 1999
and is encompassed by the three most recent standard surveys of 2000
the nursing homes that were so cited in any of the following 2001
manners: 2002

(i) On three or more separate occasions for final, 2003
nonappealable actual harm but not immediate jeopardy deficiencies; 2004

(ii) On two or more separate occasions for final, 2005
nonappealable immediate jeopardy deficiencies; 2006

(iii) On two separate occasions for final, nonappealable 2007
actual harm but not immediate jeopardy deficiencies and on one 2008
occasion for a final, nonappealable immediate jeopardy deficiency. 2009

(2) In applying divisions (B)(1)(a) to (d) of this section, 2010
the director shall not consider deficiencies or violations cited 2011
before the applicant or a principal participant acquired or began 2012
to own or operate the long-term care facility at which the 2013
deficiencies or violations were cited. The director may disregard 2014
deficiencies and violations cited after the long-term care 2015
facility was acquired or began to be operated by the applicant or 2016
a principal participant if the deficiencies or violations were 2017
attributable to circumstances that arose under the previous owner 2018
or operator and the applicant or principal participant has 2019
implemented measures to alleviate the circumstances. In the case 2020
of an application proposing development of a new long-term care 2021
facility by relocation of beds, the director shall not consider 2022
deficiencies or violations that were solely attributable to the 2023
physical plant of the existing long-term care facility from which 2024
the beds are being relocated. 2025

(C) The director also shall accept for review any application 2026
for the conversion of infirmary beds to long-term care beds if the 2027
infirmary meets all of the following conditions: 2028

(1) Is operated exclusively by a religious order; 2029

(2) Provides care exclusively to members of religious orders 2030
who take vows of celibacy and live by virtue of their vows within 2031
the orders as if related; 2032

(3) Was providing care exclusively to members of such a 2033
religious order on January 1, 1994. 2034

(D) Notwithstanding division (C)(2) of this section, a 2035
facility that has been granted a certificate of need under 2036
division (C) of this section may provide care to any of the 2037
following family members of the individuals described in division 2038
(C)(2) of this section: mothers, fathers, brothers, sisters, 2039
brothers-in-law, sisters-in-law, or children. Such a facility may 2040
also provide care to any individual who has been designated an 2041
associate member by the religious order that operates the 2042
facility. 2043

The long-term care beds in a facility that have been granted 2044
a certificate of need under division (C) of this section may not 2045
be relocated pursuant to sections 3702.592 to 3702.594 of the 2046
Revised Code. 2047

Sec. 3721.03. (A) As used in this section, "person" has the 2048
same meaning as in section 1.59 of the Revised Code. 2049

(B) The director of health shall enforce the provisions of 2050
sections 3721.01 to 3721.13 and 3721.99 of the Revised Code and 2051
may issue orders to secure compliance with the provisions of these 2052
sections and the rules adopted under them. The director may hold 2053
hearings, issue subpoenas, compel testimony, and make 2054
adjudications. 2055

The director may issue an order revoking a license in the 2056
event the director finds, upon hearing or opportunity afforded 2057
pursuant to Chapter 119. of the Revised Code, that any of the 2058
following apply to a person, county home, or district home 2059

licensed under section 3721.07 of the Revised Code: 2060

(1) Has violated any of the provisions of Chapter 3721. of 2061
the Revised Code or rules adopted by the director under it; 2062

(2) Has violated any order issued by the director; 2063

(3) Is not, or any of its principals are not suitable, 2064
morally or financially to operate such an institution; 2065

(4) Is not furnishing humane, kind, and adequate treatment 2066
and care; 2067

(5) Has had a long-standing pattern of violations of this 2068
chapter or the rules adopted under it that has caused physical, 2069
emotional, mental, or psychosocial harm to one or more residents. 2070

Upon the issuance of any order of revocation, the person 2071
whose license is revoked, or the county home or district home that 2072
has its license revoked, may appeal in accordance with Chapter 2073
119. of the Revised Code. 2074

(C) Once the director notifies a person, county home, or 2075
district home licensed to operate a home that the license may be 2076
revoked or issues any order under this section, the person, county 2077
home, or district home shall not assign or transfer to another 2078
person or entity the right to operate the home, unless the notice 2079
or order is issued solely because the home has already closed or 2080
ceased operations. This prohibition shall remain in effect until 2081
proceedings under Chapter 119. of the Revised Code concerning the 2082
order or license revocation have been concluded or the director 2083
notifies the person, county home, or district home that the 2084
prohibition has been lifted. 2085

If a license is revoked under this section, the former 2086
license holder shall not assign or transfer or consent to 2087
assignment or transfer of the right to operate the home. Any 2088
attempted assignment or transfer to another person or entity is 2089

void. 2090

On revocation of a license, the former licensee shall take 2091
all necessary steps to cease operation of the home. 2092

The director of health shall not accept a certificate of need 2093
application under section 3702.52 of the Revised Code regarding a 2094
home if the license to operate the home has been revoked under 2095
this section. 2096

Sec. 5104.01. As used in this chapter: 2097

(A) "Administrator" means the person responsible for the 2098
daily operation of a center, type A home, or type B home. The 2099
administrator and the owner may be the same person. 2100

(B) "Approved child day camp" means a child day camp approved 2101
pursuant to section 5104.22 of the Revised Code. 2102

(C) "Border state child care provider" means a child care 2103
provider that is located in a state bordering Ohio and that is 2104
licensed, certified, or otherwise approved by that state to 2105
provide child care. 2106

(D) "Career pathways model" means an alternative pathway to 2107
meeting the requirements to be a child-care staff member or 2108
administrator that does both of the following: 2109

(1) Uses a framework approved by the director of job and 2110
family services to document formal education, training, 2111
experience, and specialized credentials and certifications; 2112

(2) Allows the child-care staff member or administrator to 2113
achieve a designation as an early childhood professional level 2114
one, two, three, four, five, or six. 2115

(E) "Caretaker parent" means the father or mother of a child 2116
whose presence in the home is needed as the caretaker of the 2117
child, a person who has legal custody of a child and whose 2118

presence in the home is needed as the caretaker of the child, a 2119
guardian of a child whose presence in the home is needed as the 2120
caretaker of the child, and any other person who stands in loco 2121
parentis with respect to the child and whose presence in the home 2122
is needed as the caretaker of the child. 2123

(F) "Chartered nonpublic school" means a school that meets 2124
standards for nonpublic schools prescribed by the state board of 2125
education for nonpublic schools pursuant to section 3301.07 of the 2126
Revised Code. 2127

(G) "Child" includes an infant, toddler, preschool-age child, 2128
or school-age child. 2129

(H) "Child care block grant act" means the "Child Care and 2130
Development Block Grant Act of 1990," established in section 5082 2131
of the "Omnibus Budget Reconciliation Act of 1990," 104 Stat. 2132
1388-236 (1990), 42 U.S.C. 9858, as amended. 2133

(I) "Child day camp" means a program in which only school-age 2134
children attend or participate, that operates for no more than 2135
seven hours per day, that operates only during one or more public 2136
school district's regular vacation periods or for no more than 2137
fifteen weeks during the summer, and that operates outdoor 2138
activities for each child who attends or participates in the 2139
program for a minimum of fifty per cent of each day that children 2140
attend or participate in the program, except for any day when 2141
hazardous weather conditions prevent the program from operating 2142
outdoor activities for a minimum of fifty per cent of that day. 2143
For purposes of this division, the maximum seven hours of 2144
operation time does not include transportation time from a child's 2145
home to a child day camp and from a child day camp to a child's 2146
home. 2147

(J) "Child care" means all of the following: 2148

(1) Administering to the needs of infants, toddlers, 2149

preschool-age children, and school-age children outside of school	2150
hours;	2151
(2) By persons other than their parents, guardians, or	2152
custodians;	2153
(3) For any part of the twenty-four-hour day;	2154
(4) In a place other than a child's own home, except that an	2155
in-home aide provides child care in the child's own home.	2156
(K) "Child day-care center" and "center" mean any place in	2157
which child care or publicly funded child care is provided for	2158
thirteen or more children at one time or any place that is not the	2159
permanent residence of the licensee or administrator in which	2160
child care or publicly funded child care is provided for seven to	2161
twelve children at one time. In counting children for the purposes	2162
of this division, any children under six years of age who are	2163
related to a licensee, administrator, or employee and who are on	2164
the premises of the center shall be counted. "Child day-care	2165
center" and "center" do not include any of the following:	2166
(1) A place located in and operated by a hospital, as defined	2167
in section 3727.01 of the Revised Code, in which the needs of	2168
children are administered to, if all the children whose needs are	2169
being administered to are monitored under the on-site supervision	2170
of a physician licensed under Chapter 4731. of the Revised Code or	2171
a registered nurse licensed under Chapter 4723. of the Revised	2172
Code, and the services are provided only for children who, in the	2173
opinion of the child's parent, guardian, or custodian, are	2174
exhibiting symptoms of a communicable disease or other illness or	2175
are injured;	2176
(2) A child day camp;	2177
(3) A place that provides child care, but not publicly funded	2178
child care, if all of the following apply:	2179

(a) An organized religious body provides the child care;	2180
(b) A parent, custodian, or guardian of at least one child receiving child care is on the premises and readily accessible at all times;	2181 2182 2183
(c) The child care is not provided for more than thirty days a year;	2184 2185
(d) The child care is provided only for preschool-age and school-age children.	2186 2187
(L) "Child care resource and referral service organization" means a community-based nonprofit organization that provides child care resource and referral services but not child care.	2188 2189 2190
(M) "Child care resource and referral services" means all of the following services:	2191 2192
(1) Maintenance of a uniform data base of all child care providers in the community that are in compliance with this chapter, including current occupancy and vacancy data;	2193 2194 2195
(2) Provision of individualized consumer education to families seeking child care;	2196 2197
(3) Provision of timely referrals of available child care providers to families seeking child care;	2198 2199
(4) Recruitment of child care providers;	2200
(5) Assistance in the development, conduct, and dissemination of training for child care providers and provision of technical assistance to current and potential child care providers, employers, and the community;	2201 2202 2203 2204
(6) Collection and analysis of data on the supply of and demand for child care in the community;	2205 2206
(7) Technical assistance concerning locally, state, and federally funded child care and early childhood education	2207 2208

programs;	2209
(8) Stimulation of employer involvement in making child care more affordable, more available, safer, and of higher quality for their employees and for the community;	2210 2211 2212
(9) Provision of written educational materials to caretaker parents and informational resources to child care providers;	2213 2214
(10) Coordination of services among child care resource and referral service organizations to assist in developing and maintaining a statewide system of child care resource and referral services if required by the department of job and family services;	2215 2216 2217 2218
(11) Cooperation with the county department of job and family services in encouraging the establishment of parent cooperative child care centers and parent cooperative type A family day-care homes.	2219 2220 2221 2222
(N) "Child-care staff member" means an employee of a child day-care center or type A family day-care home who is primarily responsible for the care and supervision of children. The administrator may be a part-time child-care staff member when not involved in other duties.	2223 2224 2225 2226 2227
(O) "Drop-in child day-care center," "drop-in center," "drop-in type A family day-care home," and "drop-in type A home" mean a center or type A home that provides child care or publicly funded child care for children on a temporary, irregular basis.	2228 2229 2230 2231
(P) "Employee" means a person who either:	2232
(1) Receives compensation for duties performed in a child day-care center or type A family day-care home;	2233 2234
(2) Is assigned specific working hours or duties in a child day-care center or type A family day-care home.	2235 2236
(Q) "Employer" means a person, firm, institution, organization, or agency that operates a child day-care center or	2237 2238

type A family day-care home subject to licensure under this	2239
chapter.	2240
(R) "Federal poverty line" means the official poverty	2241
guideline as revised annually in accordance with section 673(2) of	2242
the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42	2243
U.S.C. 9902, as amended, for a family size equal to the size of	2244
the family of the person whose income is being determined.	2245
(S) "Head start program" means a comprehensive child	2246
development program serving birth to three years old and	2247
preschool-age children that receives funds distributed under the	2248
"Head Start Act," 95 Stat. 499 (1981), 42 U.S.C.A. 9831, as	2249
amended, and is licensed as a child day-care center.	2250
(T) "Income" means gross income, as defined in section	2251
5107.10 of the Revised Code, less any amounts required by federal	2252
statutes or regulations to be disregarded.	2253
(U) "Indicator checklist" means an inspection tool, used in	2254
conjunction with an instrument-based program monitoring	2255
information system, that contains selected licensing requirements	2256
that are statistically reliable indicators or predictors of a	2257
child day-care center's type A family day-care home's, or licensed	2258
type B family day-care home's compliance with licensing	2259
requirements.	2260
(V) "Infant" means a child who is less than eighteen months	2261
of age.	2262
(W) "In-home aide" means a person who does not reside with	2263
the child but provides care in the child's home and is certified	2264
by a county director of job and family services pursuant to	2265
section 5104.12 of the Revised Code to provide publicly funded	2266
child care to a child in a child's own home pursuant to this	2267
chapter and any rules adopted under it.	2268
(X) "Instrument-based program monitoring information system"	2269

means a method to assess compliance with licensing requirements 2270
for child day-care centers, type A family day-care homes, and 2271
licensed type B family day-care homes in which each licensing 2272
requirement is assigned a weight indicative of the relative 2273
importance of the requirement to the health, growth, and safety of 2274
the children that is used to develop an indicator checklist. 2275

(Y) "License capacity" means the maximum number in each age 2276
category of children who may be cared for in a child day-care 2277
center or type A family day-care home at one time as determined by 2278
the director of job and family services considering building 2279
occupancy limits established by the department of commerce, amount 2280
of available indoor floor space and outdoor play space, and amount 2281
of available play equipment, materials, and supplies. For the 2282
purposes of a provisional license issued under this chapter, the 2283
director shall also consider the number of available child-care 2284
staff members when determining "license capacity" for the 2285
provisional license. 2286

(Z) "Licensed child care program" means any of the following: 2287

(1) A child day-care center licensed by the department of job 2288
and family services pursuant to this chapter; 2289

(2) A type A family day-care home or type B family day-care 2290
home licensed by the department of job and family services 2291
pursuant to this chapter; 2292

(3) A licensed preschool program or licensed school child 2293
program. 2294

(AA) "Licensed preschool program" or "licensed school child 2295
program" means a preschool program or school child program, as 2296
defined in section 3301.52 of the Revised Code, that is licensed 2297
by the department of education pursuant to sections 3301.52 to 2298
3301.59 of the Revised Code. 2299

(BB) "Licensed type B family day-care home" and "licensed 2300

type B home" mean a type B family day-care home for which there is 2301
a valid license issued by the director of job and family services 2302
pursuant to section 5104.03 of the Revised Code. 2303

(CC) "Licensee" means the owner of a child day-care center, 2304
type A family day-care home, or type B family day-care home that 2305
is licensed pursuant to this chapter and who is responsible for 2306
ensuring its compliance with this chapter and rules adopted 2307
pursuant to this chapter. 2308

(DD) "Operate a child day camp" means to operate, establish, 2309
manage, conduct, or maintain a child day camp. 2310

(EE) "Owner" includes a person, as defined in section 1.59 of 2311
the Revised Code, or government entity, ~~firm, organization,~~ 2312
~~institution, agency, as well as any individual governing board~~ 2313
~~members, partners, incorporators, agents, or authorized~~ 2314
~~representatives of the owner.~~ 2315

(FF) "Parent cooperative child day-care center," "parent 2316
cooperative center," "parent cooperative type A family day-care 2317
home," and "parent cooperative type A home" mean a corporation or 2318
association organized for providing educational services to the 2319
children of members of the corporation or association, without 2320
gain to the corporation or association as an entity, in which the 2321
services of the corporation or association are provided only to 2322
children of the members of the corporation or association, 2323
ownership and control of the corporation or association rests 2324
solely with the members of the corporation or association, and at 2325
least one parent-member of the corporation or association is on 2326
the premises of the center or type A home during its hours of 2327
operation. 2328

(GG) "Part-time child day-care center," "part-time center," 2329
"part-time type A family day-care home," and "part-time type A 2330
home" mean a center or type A home that provides child care or 2331

publicly funded child care for not more than four hours a day for 2332
any child or not more than fifteen consecutive weeks per year, 2333
regardless of the number of hours per day. 2334

(HH) "Place of worship" means a building where activities of 2335
an organized religious group are conducted and includes the 2336
grounds and any other buildings on the grounds used for such 2337
activities. 2338

(II) "Preschool-age child" means a child who is three years 2339
old or older but is not a school-age child. 2340

(JJ) "Protective child care" means publicly funded child care 2341
for the direct care and protection of a child to whom either of 2342
the following applies: 2343

(1) A case plan prepared and maintained for the child 2344
pursuant to section 2151.412 of the Revised Code indicates a need 2345
for protective care and the child resides with a parent, 2346
stepparent, guardian, or another person who stands in loco 2347
parentis as defined in rules adopted under section 5104.38 of the 2348
Revised Code; 2349

(2) The child and the child's caretaker either temporarily 2350
reside in a facility providing emergency shelter for homeless 2351
families or are determined by the county department of job and 2352
family services to be homeless, and are otherwise ineligible for 2353
publicly funded child care. 2354

(KK) "Publicly funded child care" means administering to the 2355
needs of infants, toddlers, preschool-age children, and school-age 2356
children under age thirteen during any part of the 2357
twenty-four-hour day by persons other than their caretaker parents 2358
for remuneration wholly or in part with federal or state funds, 2359
including funds available under the child care block grant act, 2360
Title IV-A, and Title XX, distributed by the department of job and 2361
family services. 2362

(LL) "Religious activities" means any of the following: 2363
worship or other religious services; religious instruction; Sunday 2364
school classes or other religious classes conducted during or 2365
prior to worship or other religious services; youth or adult 2366
fellowship activities; choir or other musical group practices or 2367
programs; meals; festivals; or meetings conducted by an organized 2368
religious group. 2369

(MM) "School-age child" means a child who is enrolled in or 2370
is eligible to be enrolled in a grade of kindergarten or above but 2371
is less than fifteen years old. 2372

(NN) "School-age child care center" and "school-age child 2373
type A home" mean a center or type A home that provides child care 2374
for school-age children only and that does either or both of the 2375
following: 2376

(1) Operates only during that part of the day that 2377
immediately precedes or follows the public school day of the 2378
school district in which the center or type A home is located; 2379

(2) Operates only when the public schools in the school 2380
district in which the center or type A home is located are not 2381
open for instruction with pupils in attendance. 2382

(OO) "Serious risk noncompliance" means a licensure or 2383
certification rule violation that leads to a great risk of harm 2384
to, or death of, a child, and is observable, not inferable. 2385

(PP) "State median income" means the state median income 2386
calculated by the department of development pursuant to division 2387
(A)(1)(g) of section 5709.61 of the Revised Code. 2388

(QQ) "Title IV-A" means Title IV-A of the "Social Security 2389
Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended. 2390

(RR) "Title XX" means Title XX of the "Social Security Act," 2391
88 Stat. 2337 (1974), 42 U.S.C. 1397, as amended. 2392

(SS) "Toddler" means a child who is at least eighteen months of age but less than three years of age. 2393
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(TT) "Type A family day-care home" and "type A home" mean a permanent residence of the administrator in which child care or publicly funded child care is provided for seven to twelve children at one time or a permanent residence of the administrator in which child care is provided for four to twelve children at one time if four or more children at one time are under two years of age. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the type A home shall be counted. "Type A family day-care home" and "type A home" do not include any child day camp. 2395
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(UU) "Type B family day-care home" and "type B home" mean a permanent residence of the provider in which child care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted. "Type B family day-care home" and "type B home" do not include any child day camp. 2406
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Sec. 5104.03. (A) As used in this section, "owner" has the same meaning as in section 5104.01 of the Revised Code, except that "owner" also includes a firm, organization, institution, or agency, as well as any individual governing board members, partners, or authorized representatives of the owner. 2415
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(B) Any person, firm, organization, institution, or agency seeking to establish a child day-care center, type A family day-care home, or licensed type B family day-care home shall apply for a license to the director of job and family services on such 2420
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form as the director prescribes. The director shall provide at no charge to each applicant for licensure a copy of the child care license requirements in this chapter and a copy of the rules adopted pursuant to this chapter. The copies may be provided in paper or electronic form.

Fees shall be set by the director pursuant to sections 5104.015, 5104.017, and 5104.018 of the Revised Code and shall be paid at the time of application for a license to operate a center, type A home, or type B home. Fees collected under this section shall be paid into the state treasury to the credit of the general revenue fund.

~~(B)~~(C)(1) Upon filing of the application for a license, the director shall investigate and inspect the center, type A home, or type B home to determine the license capacity for each age category of children of the center, type A home, or type B home and to determine whether the center, type A home, or type B home complies with this chapter and rules adopted pursuant to this chapter. When, after investigation and inspection, the director is satisfied that this chapter and rules adopted pursuant to it are complied with, subject to division ~~(H)~~(I) of this section, a license shall be issued as soon as practicable in such form and manner as prescribed by the director. The license shall be designated as provisional and shall be valid for twelve months from the date of issuance unless revoked.

(2) The director may contract with a government entity or a private nonprofit entity for the entity to inspect type A or type B family day-care homes pursuant to this section. If the director contracts with a government entity or private nonprofit entity for that purpose, the entity may contract with another government entity or private nonprofit entity for the other entity to inspect type A or type B homes pursuant to this section. The director, government entity, or private nonprofit entity shall conduct an

inspection prior to the issuance of a license for a type A or type 2456
B home and, as part of that inspection, ensure that the home is 2457
safe and sanitary. 2458

~~(C)~~(D)(1) On receipt of an application for licensure as a 2459
type B family day-care home to provide publicly funded child care, 2460
the director shall search the uniform statewide automated child 2461
welfare information system for information concerning any abuse or 2462
neglect report made pursuant to section 2151.421 of the Revised 2463
Code of which the applicant, any other adult residing in the 2464
applicant's home, or a person designated by the applicant to be an 2465
emergency or substitute caregiver for the applicant is the 2466
subject. 2467

(2) The director shall consider any information discovered 2468
pursuant to division ~~(C)~~(D)(1) of this section or that is provided 2469
by a public children services agency pursuant to section 5153.175 2470
of the Revised Code. If the director determines that the 2471
information, when viewed within the totality of the circumstances, 2472
reasonably leads to the conclusion that the applicant may directly 2473
or indirectly endanger the health, safety, or welfare of children, 2474
the director shall deny the application for licensure or revoke 2475
the license of a type B family day-care home. 2476

~~(D)~~(E) The director shall investigate and inspect the center, 2477
type A home, or type B home at least once during operation under a 2478
license designated as provisional. If after the investigation and 2479
inspection the director determines that the requirements of this 2480
chapter and rules adopted pursuant to this chapter are met, 2481
subject to division ~~(H)~~(I) of this section, the director shall 2482
issue a new license to the center or home. 2483

~~(E)~~(F) Each license shall state the name of the licensee, the 2484
name of the administrator, the address of the center, type A home, 2485
or licensed type B home, and the license capacity for each age 2486
category of children. The license shall include thereon, in 2487

accordance with sections 5104.015, 5104.017, and 5104.018 of the Revised Code, the toll-free telephone number to be used by persons suspecting that the center, type A home, or licensed type B home has violated a provision of this chapter or rules adopted pursuant to this chapter. A license is valid only for the licensee, administrator, address, and license capacity for each age category of children designated on the license. The license capacity specified on the license is the maximum number of children in each age category that may be cared for in the center, type A home, or licensed type B home at one time.

The center or type A home licensee shall notify the director when the administrator of the center or home changes. The director shall amend the current license to reflect a change in an administrator, if the administrator meets the requirements of this chapter and rules adopted pursuant to this chapter, or a change in license capacity for any age category of children as determined by the director of job and family services.

~~(F)~~(G) If the director revokes the license of a center, a type A home, or a type B home, the director shall not issue another license to the owner of the center, type A home, or type B home until five years have elapsed from the date the license is revoked.

If the director denies an application for a license, the director shall not consider another application from the applicant until five years have elapsed from the date the application is denied.

~~(G)~~(H) If during the application for licensure process the director determines that the license of the owner has been revoked, the investigation of the center, type A home, or type B home shall cease. This action does not constitute denial of the application and may not be appealed under division ~~(H)~~(I) of this section.

~~(H)~~(I)(1) Except as provided in division ~~(H)~~(I)(2) of this 2520
section, all actions of the director with respect to licensing 2521
centers, type A homes, or type B homes, refusal to license, and 2522
revocation of a license shall be in accordance with Chapter 119. 2523
of the Revised Code. Except as provided in division ~~(H)~~(I)(2) of 2524
this section, any applicant who is denied a license or any owner 2525
whose license is revoked may appeal in accordance with section 2526
119.12 of the Revised Code. 2527

(2) The following actions by the director are not subject to 2528
Chapter 119. of the Revised Code: 2529

(a) The director does not issue a license to the owner of a 2530
center, type A home, or type B home because the owner sought a 2531
license before five years had elapsed from the date the previous 2532
license was revoked. 2533

(b) The director does not issue a license because the 2534
applicant applied for licensure before five years had elapsed from 2535
the date the previous application was denied. 2536

~~(I)~~(J) In no case shall the director issue a license under 2537
this section for a center, type A home, or type B home if the 2538
director, based on documentation provided by the appropriate 2539
county department of job and family services, determines that the 2540
applicant had been certified as a type B family day-care home when 2541
such certifications were issued by county departments prior to 2542
January 1, 2014, that the county department revoked that 2543
certification within the immediately preceding five years, that 2544
the revocation was based on the applicant's refusal or inability 2545
to comply with the criteria for certification, and that the 2546
refusal or inability resulted in a risk to the health or safety of 2547
children. 2548

~~(J)~~(K)(1) Except as provided in division ~~(J)~~(K)(2) of this 2549
section, an administrator of a type B family day-care home that 2550

receives a license pursuant to this section to provide publicly 2551
funded child care is an independent contractor and is not an 2552
employee of the department of job and family services. 2553

(2) For purposes of Chapter 4141. of the Revised Code, 2554
determinations concerning the employment of an administrator of a 2555
type B family day-care home that receives a license pursuant to 2556
this section shall be determined under Chapter 4141. of the 2557
Revised Code. 2558

Sec. 5705.2112. (A) As used in this section and section 2559
5705.2113 of the Revised Code: 2560

(1) "Qualifying partnership" has the same meaning as in 2561
section 3318.71 of the Revised Code. 2562

(2) "Fiscal board" means the board of education of the school 2563
district that is selected as the fiscal agent of a qualifying 2564
partnership under division (D) of section 3318.71 of the Revised 2565
Code. 2566

(3) "Participating school district" means a city, local, 2567
exempted village, cooperative education, or joint vocational 2568
school district that is a party to the qualifying partnership 2569
agreement described in section 3318.71 of the Revised Code. 2570

(4) "Tax distribution" means a distribution of proceeds of 2571
the tax authorized by this section under section 321.24 of the 2572
Revised Code and distributions that are attributable to that tax 2573
under sections 323.156 and 4503.068 of the Revised Code or other 2574
applicable law. 2575

(5) "Acquisition of classroom facilities" has the same 2576
meaning as in section 3318.01 of the Revised Code. 2577

(B) The fiscal board of a qualifying partnership may levy a 2578
tax under this section in excess of the ten-mill limitation for 2579
the purpose of funding the acquisition of classroom facilities 2580

that benefit the qualifying partnership. The tax is subject to the approval of the electors of all participating school districts. Before proposing the tax to such electors, the fiscal board shall obtain identical resolutions adopted by two-thirds of the members of the board of education of each participating school district. The resolutions shall specify all of the following:

- (1) The rate of the levy;
- (2) The purpose of the levy, which shall be confined to the acquisition of classroom facilities;
- (3) The number of years during which the levy shall be in effect, which shall be for any number of years not exceeding ten;
- (4) That the question of the levy shall be submitted to the electors of each participating school district at a special election;
- (5) The date that such special election shall be held, which shall not be earlier than ninety days after the resolutions are certified to the board or boards of elections under division (C) of this section and which shall be consistent with the requirements of section 3501.01 of the Revised Code.

(C) A resolution adopted under division (B) of this section shall go into immediate effect upon its passage, and no publication of the resolution shall be necessary other than that provided for in the notice of election. Upon passing such a resolution, the board of education of a participating school district shall certify a copy of the resolution to the fiscal board of the qualifying partnership. Once the fiscal board receives an identical resolution from each participating school district, the fiscal board shall certify copies of such resolutions to the board of elections of the proper county or counties in the manner provided by section 5705.25 of the Revised Code. That section shall govern the arrangements for the

submission of the levy to the electors of each participating 2612
school district and other matters concerning the election to which 2613
that section refers, including publication of notice of the 2614
election, except that the election shall be held on the date 2615
specified in the resolutions and the notice shall be published in 2616
newspapers of general circulation in all the participating school 2617
districts. 2618

The question of the levy shall be submitted as a single 2619
ballot issue to the electors of all the participating school 2620
districts. If a majority of all such electors voting on the 2621
question so submitted in the election vote in favor of the levy, 2622
the fiscal board may make the necessary levy within the territory 2623
of the participating school districts at the additional rate, or 2624
at any lesser rate in excess of the ten-mill limitation on the tax 2625
list, for the purpose stated in the resolutions. 2626

The submission of questions to the electors under this 2627
section is subject to the limitation on the number of election 2628
dates established by section 5705.214 of the Revised Code. 2629

(D) Each tax distribution shall be deposited to a special 2630
fund, established for the purposes described in the resolutions 2631
proposing the tax levy, in the county treasury of the county in 2632
which the fiscal board of the qualifying partnership is located. 2633
The fiscal board shall be the custodian of the amounts deposited 2634
to such fund and shall have the same rights and responsibilities 2635
with respect to the fund as boards of education do with respect to 2636
other levy revenues. 2637

(E) The levy of a tax under this section for the purpose of 2638
funding the acquisition of classroom facilities benefiting a 2639
qualifying partnership is hereby determined to be a proper public 2640
purpose. For the purposes of Chapter 3317. of the Revised Code or 2641
other laws referring to the "taxes charged and payable" for a 2642
school district, the taxes charged and payable for a levy 2643

authorized under this section are not included in the taxes 2644
charged and payable for any participating school district. The 2645
taxes charged and payable for a levy authorized under this section 2646
shall not affect the calculation of "state education aid," as 2647
defined in section 5751.20 of the Revised Code, for any 2648
participating school district. 2649

(F)(1) After the approval of a levy under this section for a 2650
specified number of years, the fiscal board of a qualifying 2651
partnership may anticipate a fraction of the proceeds of the levy 2652
and issue anticipation notes in a principal amount not exceeding 2653
~~fifty~~ seventy-five per cent of the total estimated proceeds of the 2654
levy remaining to be collected in each year over a period of ~~five~~ 2655
ten years after the issuance of the notes. 2656

The notes shall be issued as provided in section 133.24 of 2657
the Revised Code, shall have principal payments during each year 2658
after the year of their issuance over a period not to exceed ~~five~~ 2659
ten years, and may have a principal payment in the year of their 2660
issuance. 2661

(2) The fiscal board of a qualifying partnership is a "taxing 2662
authority" for the purposes of Chapter 133. of the Revised Code 2663
with respect to the tax and securities authorized under this 2664
section, and the treasurer of the school district serving as the 2665
fiscal board is the fiscal officer for the purposes of that 2666
chapter. 2667

Sec. 5705.2113. The fiscal board of a qualifying partnership 2668
may declare that it is necessary to issue general obligation bonds 2669
for the purpose of acquiring classroom facilities and necessary 2670
appurtenances and to levy a tax in excess of the ten-mill 2671
limitation to pay debt charges on the bonds as provided in section 2672
133.18 of the Revised Code, subject to the following: 2673

(A) The issuance of the bonds and the levy of the tax is 2674

subject to approval by a majority of the electors in the combined 2675
territory of all participating school districts, not necessarily 2676
by a majority of electors in each participating school district. 2677

(B) Before proposing the question of issuing bonds to the 2678
electors, the fiscal board shall obtain identical resolutions 2679
adopted by a majority of the members of the board of education of 2680
each participating school district specifying all of the matters 2681
required by division (B) of section 133.18 of the Revised Code. 2682

(C) The maximum maturity of the bonds shall be fifteen years, 2683
notwithstanding section 133.20 of the Revised Code. 2684

(D) The bonds are Chapter 133. securities for the purposes of 2685
Chapter 133. of the Revised Code and other law applying to Chapter 2686
133. securities, except as otherwise provided in this section. 2687

(E) The combined territory and tax valuation of all 2688
participating school districts is the territory and tax valuation 2689
of the subdivision for the purposes of that section. 2690

(F) The fiscal board is a "taxing authority" for the purposes 2691
of Chapter 133. of the Revised Code with respect to the tax and 2692
bonds authorized under this section, and the treasurer of the 2693
school district serving as the fiscal board is the fiscal officer 2694
for the purposes of that chapter. 2695

Sec. 5709.17. The following property shall be exempted from 2696
taxation: 2697

(A) Real estate held or occupied by an association or 2698
corporation, organized or incorporated under the laws of this 2699
state relative to soldiers' memorial associations, monumental 2700
building associations, or cemetery associations or corporations, 2701
which in the opinion of the trustees, directors, or managers 2702
thereof is necessary and proper to carry out the object intended 2703
for such association or corporation; 2704

(B) Real estate and tangible personal property held or 2705
occupied by a veterans' organization that qualifies for exemption 2706
from taxation under section 501(c)(19) or 501(c)(23) of the 2707
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as 2708
amended, and is incorporated under the laws of this state or the 2709
United States, except real estate held by such an organization for 2710
the production of rental income in excess of thirty-six thousand 2711
dollars in a tax year, before accounting for any cost or expense 2712
incurred in the production of such income. For the purposes of 2713
this division, rental income includes only income arising directly 2714
from renting the real estate to others for consideration. 2715

(C) Tangible personal property held by a corporation 2716
chartered under 112 Stat. 1335, 36 U.S.C.A. 40701, described in 2717
section 501(c)(3) of the Internal Revenue Code, and exempt from 2718
taxation under section 501(a) of the Internal Revenue Code shall 2719
be exempt from taxation if it is property obtained as described in 2720
112 Stat. 1335-1341, 36 U.S.C.A. Chapter 407. 2721

(D) Real estate held or occupied by a fraternal organization 2722
and used primarily for meetings of and the administration of the 2723
fraternal organization or for providing, on a not-for-profit 2724
basis, educational or health services, except real estate held by 2725
such an organization for the production of rental income in excess 2726
of thirty-six thousand dollars in a tax year before accounting for 2727
any cost or expense incurred in the production of such income. As 2728
used in this division, "rental income" has the same meaning as in 2729
division (B) of this section, and "fraternal organization" means a 2730
domestic fraternal society, order, or association operating under 2731
the lodge, council, or grange system that qualifies for exemption 2732
from taxation under section 501(c)(5), 501(c)(8), or 501(c)(10) of 2733
the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, 2734
as amended; that provides financial support for charitable 2735
purposes, as defined in division (B)(12) of section 5739.02 of the 2736

Revised Code; and that has been operating in this state with a 2737
state governing body for at least eighty-five years. 2738

Sec. 5726.98. (A) To provide a uniform procedure for 2739
calculating the amount of tax due under section 5726.02 of the 2740
Revised Code, a taxpayer shall claim any credits to which the 2741
taxpayer is entitled under this chapter in the following order: 2742

~~(1) The bank organization assessment credit under section 2743
5726.51 of the Revised Code;~~ 2744

~~(2)~~ The nonrefundable job retention credit under division (B) 2745
of section 5726.50 of the Revised Code; 2746

~~(3)~~(2) The nonrefundable credit for purchases of qualified 2747
low-income community investments under section 5726.54 of the 2748
Revised Code; 2749

~~(4)~~(3) The nonrefundable credit for qualified research 2750
expenses under section 5726.56 of the Revised Code; 2751

~~(5)~~(4) The nonrefundable credit for qualifying dealer in 2752
intangibles taxes under section 5726.57 of the Revised Code; 2753

~~(6)~~(5) The refundable credit for rehabilitating an historic 2754
building under section 5726.52 of the Revised Code; 2755

~~(7)~~(6) The refundable job retention or job creation credit 2756
under division (A) of section 5726.50 of the Revised Code; 2757

~~(8)~~(7) The refundable credit under section 5726.53 of the 2758
Revised Code for losses on loans made under the Ohio venture 2759
capital program under sections 150.01 to 150.10 of the Revised 2760
Code; 2761

~~(9)~~(8) The refundable motion picture production credit under 2762
section 5726.55 of the Revised Code. 2763

(B) For any credit except the refundable credits enumerated 2764
in this section, the amount of the credit for a taxable year shall 2765

not exceed the tax due after allowing for any other credit that 2766
precedes it in the order required under this section. Any excess 2767
amount of a particular credit may be carried forward if authorized 2768
under the section creating that credit. Nothing in this chapter 2769
shall be construed to allow a taxpayer to claim, directly or 2770
indirectly, a credit more than once for a taxable year. 2771

Sec. 5733.01. (A) The tax provided by this chapter for 2772
domestic corporations shall be the amount charged against each 2773
corporation organized for profit under the laws of this state and 2774
each nonprofit corporation organized pursuant to Chapter 1729. of 2775
the Revised Code, except as provided in sections 5733.09 and 2776
5733.10 of the Revised Code, for the privilege of exercising its 2777
franchise during the calendar year in which that amount is 2778
payable, and the tax provided by this chapter for foreign 2779
corporations shall be the amount charged against each corporation 2780
organized for profit and each nonprofit corporation organized or 2781
operating in the same or similar manner as nonprofit corporations 2782
organized under Chapter 1729. of the Revised Code, under the laws 2783
of any state or country other than this state, except as provided 2784
in sections 5733.09 and 5733.10 of the Revised Code, for the 2785
privilege of doing business in this state, owning or using a part 2786
or all of its capital or property in this state, holding a 2787
certificate of compliance with the laws of this state authorizing 2788
it to do business in this state, or otherwise having nexus in or 2789
with this state under the Constitution of the United States, 2790
during the calendar year in which that amount is payable. 2791

(B) A corporation is subject to the tax imposed by section 2792
5733.06 of the Revised Code for each calendar year prior to 2014 2793
that it is so organized, doing business, owning or using a part or 2794
all of its capital or property, holding a certificate of 2795
compliance, or otherwise having nexus in or with this state under 2796
the Constitution of the United States, on the first day of January 2797

of that calendar year. No credit authorized by this chapter may be 2798
claimed for tax year 2014 or any tax year thereafter. 2799

(C) Any corporation subject to this chapter that is not 2800
subject to the federal income tax shall file its returns and 2801
compute its tax liability as required by this chapter in the same 2802
manner as if that corporation were subject to the federal income 2803
tax. 2804

(D) For purposes of this chapter, a federally chartered 2805
financial institution shall be deemed to be organized under the 2806
laws of the state within which its principal office is located. 2807

(E) For purposes of this chapter, any person, as defined in 2808
section 5701.01 of the Revised Code, shall be treated as a 2809
corporation if the person is classified for federal income tax 2810
purposes as an association taxable as a corporation, and an equity 2811
interest in the person shall be treated as capital stock of the 2812
person. 2813

(F) For the purposes of this chapter, "disregarded entity" 2814
has the same meaning as in division (D) of section 5745.01 of the 2815
Revised Code. 2816

(1) A person's interest in a disregarded entity, whether held 2817
directly or indirectly, shall be treated as the person's ownership 2818
of the assets and liabilities of the disregarded entity, and the 2819
income, including gain or loss, shall be included in the person's 2820
net income under this chapter. 2821

(2) Any sale, exchange, or other disposition of the person's 2822
interest in the disregarded entity, whether held directly or 2823
indirectly, shall be treated as a sale, exchange, or other 2824
disposition of the person's share of the disregarded entity's 2825
underlying assets or liabilities, and the gain or loss from such 2826
sale, exchange, or disposition shall be included in the person's 2827
net income under this chapter. 2828

(3) The disregarded entity's payroll, property, and sales factors shall be included in the person's factors.	2829 2830
(G) The tax a corporation is required to pay under this chapter shall be as follows:	2831 2832
(1)(a) For financial institutions, the greater of the minimum payment required under division (E) of section 5733.06 of the Revised Code or the difference between all taxes charged the financial institution under this chapter, without regard to division (G)(2) of this section, less any credits allowable against such tax.	2833 2834 2835 2836 2837 2838
(b) A corporation satisfying the description in division (E)(5), (6), (7), (8), or (10) of section 5751.01 of the Revised Code, as that section existed before its amendment by H.B. 510 of the 129th general assembly, that is not a financial institution, insurance company, or dealer in intangibles is subject to the taxes imposed under this chapter as a corporation and not subject to tax as a financial institution, and shall pay the greater of the minimum payment required under division (E) of section 5733.06 of the Revised Code or the difference between all the taxes charged under this chapter, without regard to division (G)(2) of this section, less any credits allowable against such tax.	2839 2840 2841 2842 2843 2844 2845 2846 2847 2848 2849
(2) For all corporations other than those persons described in division (G)(1)(a) or (b) of this section, the amount under division (G)(2)(a) of this section applicable to the tax year specified less the amount under division (G)(2)(b) of this section:	2850 2851 2852 2853 2854
(a)(i) For tax year 2005, the greater of the minimum payment required under division (E) of section 5733.06 of the Revised Code or the difference between all taxes charged the corporation under this chapter and any credits allowable against such tax;	2855 2856 2857 2858
(ii) For tax year 2006, the greater of the minimum payment	2859

required under division (E) of section 5733.06 of the Revised Code 2860
or four-fifths of the difference between all taxes charged the 2861
corporation under this chapter and any credits allowable against 2862
such tax, except the qualifying pass-through entity tax credit 2863
described in division (A)(30) and the refundable credits described 2864
in divisions (A)(31) to (35) of section 5733.98 of the Revised 2865
Code; 2866

(iii) For tax year 2007, the greater of the minimum payment 2867
required under division (E) of section 5733.06 of the Revised Code 2868
or three-fifths of the difference between all taxes charged the 2869
corporation under this chapter and any credits allowable against 2870
such tax, except the qualifying pass-through entity tax credit 2871
described in division (A)(30) and the refundable credits described 2872
in divisions (A)(31) to (35) of section 5733.98 of the Revised 2873
Code; 2874

(iv) For tax year 2008, the greater of the minimum payment 2875
required under division (E) of section 5733.06 of the Revised Code 2876
or two-fifths of the difference between all taxes charged the 2877
corporation under this chapter and any credits allowable against 2878
such tax, except the qualifying pass-through entity tax credit 2879
described in division (A)(30) and the refundable credits described 2880
in divisions (A)(31) to (35) of section 5733.98 of the Revised 2881
Code; 2882

(v) For tax year 2009, the greater of the minimum payment 2883
required under division (E) of section 5733.06 of the Revised Code 2884
or one-fifth of the difference between all taxes charged the 2885
corporation under this chapter and any credits allowable against 2886
such tax, except the qualifying pass-through entity tax credit 2887
described in division (A)(30) and the refundable credits described 2888
in divisions (A)(31), (32), (33), and (34) of section 5733.98 of 2889
the Revised Code; 2890

(vi) For tax year 2010 and each tax year thereafter, no tax. 2891

(b) A corporation shall subtract from the amount calculated 2892
under division (G)(2)(a)(ii), (iii), (iv), or (v) of this section 2893
any qualifying pass-through entity tax credit described in 2894
division (A)(30) and any refundable credits described in divisions 2895
(A)(31) to (35) of section 5733.98 of the Revised Code to which 2896
the corporation is entitled. Any unused qualifying pass-through 2897
entity tax credit is not refundable. 2898

(c) For the purposes of computing the amount of a credit that 2899
may be carried forward to a subsequent tax year under division 2900
(G)(2) of this section, a credit is utilized against the tax for a 2901
tax year to the extent the credit applies against the tax for that 2902
tax year, even if the difference is then multiplied by the 2903
applicable fraction under division (G)(2)(a) of this section. 2904

(d) References in division (G)(2) of this section to section 2905
5733.98 of the Revised Code is to that section before its 2906
amendment by H.B. 59 of the 130th general assembly and by H.B. 340 2907
of the 131st general assembly. 2908

(3) Nothing in division (G) of this section eliminates or 2909
reduces the tax imposed by section 5733.41 of the Revised Code on 2910
a qualifying pass-through entity. 2911

Sec. 5733.98. (A) To provide a uniform procedure for 2912
calculating the amount of tax imposed by section 5733.06 of the 2913
Revised Code that is due under this chapter, a taxpayer shall 2914
claim any credits to which it is entitled in the following order, 2915
except as otherwise provided in section 5733.058 of the Revised 2916
Code: 2917

(1) For tax year 2005, the credit for taxes paid by a 2918
qualifying pass-through entity allowed under section 5733.0611 of 2919
the Revised Code; 2920

(2) The credit allowed for financial institutions under 2921

section 5733.45 of the Revised Code;	2922
(3) The credit for qualifying affiliated groups under section 5733.068 of the Revised Code;	2923 2924
(4) The subsidiary corporation credit under section 5733.067 of the Revised Code;	2925 2926
(5) The savings and loan assessment credit under section 5733.063 of the Revised Code;	2927 2928
(6) The credit for recycling and litter prevention donations under section 5733.064 of the Revised Code;	2929 2930
(7) <u>(6)</u> The credit for employers that enter into agreements with child day-care centers under section 5733.36 of the Revised Code;	2931 2932 2933
(8) <u>(7)</u> The credit for employers that reimburse employee child care expenses under section 5733.38 of the Revised Code;	2934 2935
(9) <u>(8)</u> The credit for maintaining railroad active grade crossing warning devices under section 5733.43 of the Revised Code;	2936 2937 2938
(10) <u>(9)</u> The credit for purchases of lights and reflectors under section 5733.44 of the Revised Code;	2939 2940
(11) <u>(10)</u> The nonrefundable job retention credit under division (B) of section 5733.0610 of the Revised Code;	2941 2942
(12) <u>(11)</u> The second credit for purchases of new manufacturing machinery and equipment under section 5733.33 of the Revised Code;	2943 2944
(13) <u>(12)</u> The job training credit under section 5733.42 of the Revised Code;	2945 2946
(14) <u>(13)</u> The credit for qualified research expenses under section 5733.351 of the Revised Code;	2947 2948
(15) <u>(14)</u> The enterprise zone credit under section 5709.66 of the Revised Code;	2949 2950

(16) <u>(15)</u> The credit for the eligible costs associated with a voluntary action under section 5733.34 of the Revised Code;	2951 2952
(17) <u>(16)</u> The credit for employers that establish on-site child day-care centers under section 5733.37 of the Revised Code;	2953 2954
(18) <u>(17)</u> The ethanol plant investment credit under section 5733.46 of the Revised Code;	2955 2956
(19) <u>(18)</u> The credit for purchases of qualifying grape production property under section 5733.32 of the Revised Code;	2957 2958
(20) <u>(19)</u> The export sales credit under section 5733.069 of the Revised Code;	2959 2960
(21) <u>(20)</u> The enterprise zone credits under section 5709.65 of the Revised Code;	2961 2962
(22) <u>(21)</u> The credit for using Ohio coal under section 5733.39 of the Revised Code;	2963 2964
(23) <u>(22)</u> The credit for purchases of qualified low-income community investments under section 5733.58 of the Revised Code;	2965 2966
(24) <u>(23)</u> The credit for small telephone companies under section 5733.57 of the Revised Code;	2967 2968
(25) <u>(24)</u> The credit for eligible nonrecurring 9-1-1 charges under section 5733.55 of the Revised Code;	2969 2970
(26) <u>(25)</u> For tax year 2005, the credit for providing programs to aid the communicatively impaired under division (A) of section 5733.56 of the Revised Code;	2971 2972 2973
(27) <u>(26)</u> The research and development credit under section 5733.352 of the Revised Code;	2974 2975
(28) <u>(27)</u> For tax years 2006 and subsequent tax years, the credit for taxes paid by a qualifying pass-through entity allowed under section 5733.0611 of the Revised Code;	2976 2977 2978
(29) <u>(28)</u> The refundable credit for rehabilitating a historic	2979

building under section 5733.47 of the Revised Code;	2980
(30) (29) The refundable jobs creation credit or job retention credit under division (A) of section 5733.0610 of the Revised Code;	2981 2982 2983
(31) (30) The refundable credit for tax withheld under division (B)(2) of section 5747.062 of the Revised Code;	2984 2985
(32) (31) The refundable credit under section 5733.49 of the Revised Code for losses on loans made to the Ohio venture capital program under sections 150.01 to 150.10 of the Revised Code;	2986 2987 2988
(33) (32) For tax years 2006, 2007, and 2008, the refundable credit allowable under division (B) of section 5733.56 of the Revised Code;	2989 2990 2991
(34) (33) The refundable motion picture production credit under section 5733.59 of the Revised Code.	2992 2993
(B) For any credit except the refundable credits enumerated in this section, the amount of the credit for a tax year shall not exceed the tax due after allowing for any other credit that precedes it in the order required under this section. Any excess amount of a particular credit may be carried forward if authorized under the section creating that credit.	2994 2995 2996 2997 2998 2999
Sec. 5751.01. As used in this chapter:	3000
(A) "Person" means, but is not limited to, individuals, combinations of individuals of any form, receivers, assignees, trustees in bankruptcy, firms, companies, joint-stock companies, business trusts, estates, partnerships, limited liability partnerships, limited liability companies, associations, joint ventures, clubs, societies, for-profit corporations, S corporations, qualified subchapter S subsidiaries, qualified subchapter S trusts, trusts, entities that are disregarded for federal income tax purposes, and any other entities.	3001 3002 3003 3004 3005 3006 3007 3008 3009

(B) "Consolidated elected taxpayer" means a group of two or more persons treated as a single taxpayer for purposes of this chapter as the result of an election made under section 5751.011 of the Revised Code.

(C) "Combined taxpayer" means a group of two or more persons treated as a single taxpayer for purposes of this chapter under section 5751.012 of the Revised Code.

(D) "Taxpayer" means any person, or any group of persons in the case of a consolidated elected taxpayer or combined taxpayer treated as one taxpayer, required to register or pay tax under this chapter. "Taxpayer" does not include excluded persons.

(E) "Excluded person" means any of the following:

(1) Any person with not more than one hundred fifty thousand dollars of taxable gross receipts during the calendar year. Division (E)(1) of this section does not apply to a person that is a member of a consolidated elected taxpayer;

(2) A public utility that paid the excise tax imposed by section 5727.24 or 5727.30 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter, except that a public utility that is a combined company is a taxpayer with regard to the following gross receipts:

(a) Taxable gross receipts directly attributed to a public utility activity, but not directly attributed to an activity that is subject to the excise tax imposed by section 5727.24 or 5727.30 of the Revised Code;

(b) Taxable gross receipts that cannot be directly attributed to any activity, multiplied by a fraction whose numerator is the taxable gross receipts described in division (E)(2)(a) of this section and whose denominator is the total taxable gross receipts that can be directly attributed to any activity;

(c) Except for any differences resulting from the use of an 3040
accrual basis method of accounting for purposes of determining 3041
gross receipts under this chapter and the use of the cash basis 3042
method of accounting for purposes of determining gross receipts 3043
under section 5727.24 of the Revised Code, the gross receipts 3044
directly attributed to the activity of a natural gas company shall 3045
be determined in a manner consistent with division (D) of section 3046
5727.03 of the Revised Code. 3047

As used in division (E)(2) of this section, "combined 3048
company" and "public utility" have the same meanings as in section 3049
5727.01 of the Revised Code. 3050

(3) A financial institution, as defined in section 5726.01 of 3051
the Revised Code, that paid the tax imposed by section 5726.02 of 3052
the Revised Code based on one or more taxable years that include 3053
the entire tax period under this chapter; 3054

(4) A person directly or indirectly owned by one or more 3055
financial institutions, as defined in section 5726.01 of the 3056
Revised Code, that paid the tax imposed by section 5726.02 of the 3057
Revised Code based on one or more taxable years that include the 3058
entire tax period under this chapter. 3059

For the purposes of division (E)(4) of this section, a person 3060
owns another person under the following circumstances: 3061

(a) In the case of corporations issuing capital stock, one 3062
corporation owns another corporation if it owns fifty per cent or 3063
more of the other corporation's capital stock with current voting 3064
rights; 3065

(b) In the case of a limited liability company, one person 3066
owns the company if that person's membership interest, as defined 3067
in section 1705.01 of the Revised Code, is fifty per cent or more 3068
of the combined membership interests of all persons owning such 3069
interests in the company; 3070

(c) In the case of a partnership, trust, or other unincorporated business organization other than a limited liability company, one person owns the organization if, under the articles of organization or other instrument governing the affairs of the organization, that person has a beneficial interest in the organization's profits, surpluses, losses, or distributions of fifty per cent or more of the combined beneficial interests of all persons having such an interest in the organization.

(5) A domestic insurance company or foreign insurance company, as defined in section 5725.01 of the Revised Code, that paid the insurance company premiums tax imposed by section 5725.18 or Chapter 5729. of the Revised Code, or an unauthorized insurance company whose gross premiums are subject to tax under section 3905.36 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter;

(6) A person that solely facilitates or services one or more securitizations of phase-in-recovery property pursuant to a final financing order as those terms are defined in section 4928.23 of the Revised Code. For purposes of this division, "securitization" means transferring one or more assets to one or more persons and then issuing securities backed by the right to receive payment from the asset or assets so transferred.

(7) Except as otherwise provided in this division, a pre-income tax trust as defined in division (FF)(4) of section 5747.01 of the Revised Code and any pass-through entity of which such pre-income tax trust owns or controls, directly, indirectly, or constructively through related interests, more than five per cent of the ownership or equity interests. If the pre-income tax trust has made a qualifying pre-income tax trust election under division (FF)(3) of section 5747.01 of the Revised Code, then the trust and the pass-through entities of which it owns or controls, directly, indirectly, or constructively through related interests,

more than five per cent of the ownership or equity interests, 3103
shall not be excluded persons for purposes of the tax imposed 3104
under section 5751.02 of the Revised Code. 3105

(8) Nonprofit organizations or the state and its agencies, 3106
instrumentalities, or political subdivisions. 3107

(F) Except as otherwise provided in divisions (F)(2), (3), 3108
and (4) of this section, "gross receipts" means the total amount 3109
realized by a person, without deduction for the cost of goods sold 3110
or other expenses incurred, that contributes to the production of 3111
gross income of the person, including the fair market value of any 3112
property and any services received, and any debt transferred or 3113
forgiven as consideration. 3114

(1) The following are examples of gross receipts: 3115

(a) Amounts realized from the sale, exchange, or other 3116
disposition of the taxpayer's property to or with another; 3117

(b) Amounts realized from the taxpayer's performance of 3118
services for another; 3119

(c) Amounts realized from another's use or possession of the 3120
taxpayer's property or capital; 3121

(d) Any combination of the foregoing amounts. 3122

(2) "Gross receipts" excludes the following amounts: 3123

(a) Interest income except interest on credit sales; 3124

(b) Dividends and distributions from corporations, and 3125
distributive or proportionate shares of receipts and income from a 3126
pass-through entity as defined under section 5733.04 of the 3127
Revised Code; 3128

(c) Receipts from the sale, exchange, or other disposition of 3129
an asset described in section 1221 or 1231 of the Internal Revenue 3130
Code, without regard to the length of time the person held the 3131
asset. Notwithstanding section 1221 of the Internal Revenue Code, 3132

receipts from hedging transactions also are excluded to the extent 3133
the transactions are entered into primarily to protect a financial 3134
position, such as managing the risk of exposure to (i) foreign 3135
currency fluctuations that affect assets, liabilities, profits, 3136
losses, equity, or investments in foreign operations; (ii) 3137
interest rate fluctuations; or (iii) commodity price fluctuations. 3138
As used in division (F)(2)(c) of this section, "hedging 3139
transaction" has the same meaning as used in section 1221 of the 3140
Internal Revenue Code and also includes transactions accorded 3141
hedge accounting treatment under statement of financial accounting 3142
standards number 133 of the financial accounting standards board. 3143
For the purposes of division (F)(2)(c) of this section, the actual 3144
transfer of title of real or tangible personal property to another 3145
entity is not a hedging transaction. 3146

(d) Proceeds received attributable to the repayment, 3147
maturity, or redemption of the principal of a loan, bond, mutual 3148
fund, certificate of deposit, or marketable instrument; 3149

(e) The principal amount received under a repurchase 3150
agreement or on account of any transaction properly characterized 3151
as a loan to the person; 3152

(f) Contributions received by a trust, plan, or other 3153
arrangement, any of which is described in section 501(a) of the 3154
Internal Revenue Code, or to which Title 26, Subtitle A, Chapter 3155
1, Subchapter (D) of the Internal Revenue Code applies; 3156

(g) Compensation, whether current or deferred, and whether in 3157
cash or in kind, received or to be received by an employee, former 3158
employee, or the employee's legal successor for services rendered 3159
to or for an employer, including reimbursements received by or for 3160
an individual for medical or education expenses, health insurance 3161
premiums, or employee expenses, or on account of a dependent care 3162
spending account, legal services plan, any cafeteria plan 3163
described in section 125 of the Internal Revenue Code, or any 3164

similar employee reimbursement;	3165
(h) Proceeds received from the issuance of the taxpayer's own stock, options, warrants, puts, or calls, or from the sale of the taxpayer's treasury stock;	3166 3167 3168
(i) Proceeds received on the account of payments from insurance policies, except those proceeds received for the loss of business revenue;	3169 3170 3171
(j) Gifts or charitable contributions received; membership dues received by trade, professional, homeowners', or condominium associations; and payments received for educational courses, meetings, meals, or similar payments to a trade, professional, or other similar association; and fundraising receipts received by any person when any excess receipts are donated or used exclusively for charitable purposes;	3172 3173 3174 3175 3176 3177 3178
(k) Damages received as the result of litigation in excess of amounts that, if received without litigation, would be gross receipts;	3179 3180 3181
(l) Property, money, and other amounts received or acquired by an agent on behalf of another in excess of the agent's commission, fee, or other remuneration;	3182 3183 3184
(m) Tax refunds, other tax benefit recoveries, and reimbursements for the tax imposed under this chapter made by entities that are part of the same combined taxpayer or consolidated elected taxpayer group, and reimbursements made by entities that are not members of a combined taxpayer or consolidated elected taxpayer group that are required to be made for economic parity among multiple owners of an entity whose tax obligation under this chapter is required to be reported and paid entirely by one owner, pursuant to the requirements of sections 5751.011 and 5751.012 of the Revised Code;	3185 3186 3187 3188 3189 3190 3191 3192 3193 3194
(n) Pension reversions;	3195

(o) Contributions to capital;	3196
(p) Sales or use taxes collected as a vendor or an out-of-state seller on behalf of the taxing jurisdiction from a consumer or other taxes the taxpayer is required by law to collect directly from a purchaser and remit to a local, state, or federal tax authority;	3197 3198 3199 3200 3201
(q) In the case of receipts from the sale of cigarettes or tobacco products by a wholesale dealer, retail dealer, distributor, manufacturer, or seller, all as defined in section 5743.01 of the Revised Code, an amount equal to the federal and state excise taxes paid by any person on or for such cigarettes or tobacco products under subtitle E of the Internal Revenue Code or Chapter 5743. of the Revised Code;	3202 3203 3204 3205 3206 3207 3208
(r) In the case of receipts from the sale, transfer, exchange, or other disposition of motor fuel as "motor fuel" is defined in section 5736.01 of the Revised Code, an amount equal to the value of the motor fuel, including federal and state motor fuel excise taxes and receipts from billing or invoicing the tax imposed under section 5736.02 of the Revised Code to another person;	3209 3210 3211 3212 3213 3214 3215
(s) In the case of receipts from the sale of beer or intoxicating liquor, as defined in section 4301.01 of the Revised Code, by a person holding a permit issued under Chapter 4301. or 4303. of the Revised Code, an amount equal to federal and state excise taxes paid by any person on or for such beer or intoxicating liquor under subtitle E of the Internal Revenue Code or Chapter 4301. or 4305. of the Revised Code;	3216 3217 3218 3219 3220 3221 3222
(t) Receipts realized by a new motor vehicle dealer or used motor vehicle dealer, as defined in section 4517.01 of the Revised Code, from the sale or other transfer of a motor vehicle, as defined in that section, to another motor vehicle dealer for the	3223 3224 3225 3226

purpose of resale by the transferee motor vehicle dealer, but only 3227
if the sale or other transfer was based upon the transferee's need 3228
to meet a specific customer's preference for a motor vehicle; 3229

(u) Receipts from a financial institution described in 3230
division (E)(3) of this section for services provided to the 3231
financial institution in connection with the issuance, processing, 3232
servicing, and management of loans or credit accounts, if such 3233
financial institution and the recipient of such receipts have at 3234
least fifty per cent of their ownership interests owned or 3235
controlled, directly or constructively through related interests, 3236
by common owners; 3237

(v) Receipts realized from administering anti-neoplastic 3238
drugs and other cancer chemotherapy, biologicals, therapeutic 3239
agents, and supportive drugs in a physician's office to patients 3240
with cancer; 3241

(w) Funds received or used by a mortgage broker that is not a 3242
dealer in intangibles, other than fees or other consideration, 3243
pursuant to a table-funding mortgage loan or warehouse-lending 3244
mortgage loan. Terms used in division (F)(2)(w) of this section 3245
have the same meanings as in section 1322.01 of the Revised Code, 3246
except "mortgage broker" means a person assisting a buyer in 3247
obtaining a mortgage loan for a fee or other consideration paid by 3248
the buyer or a lender, or a person engaged in table-funding or 3249
warehouse-lending mortgage loans that are first lien mortgage 3250
loans. 3251

(x) Property, money, and other amounts received by a 3252
professional employer organization, as defined in section 4125.01 3253
of the Revised Code, from a client employer, as defined in that 3254
section, in excess of the administrative fee charged by the 3255
professional employer organization to the client employer; 3256

(y) In the case of amounts retained as commissions by a 3257

permit holder under Chapter 3769. of the Revised Code, an amount 3258
equal to the amounts specified under that chapter that must be 3259
paid to or collected by the tax commissioner as a tax and the 3260
amounts specified under that chapter to be used as purse money; 3261

(z) Qualifying distribution center receipts. 3262

(i) For purposes of division (F)(2)(z) of this section: 3263

(I) "Qualifying distribution center receipts" means receipts 3264
of a supplier from qualified property that is delivered to a 3265
qualified distribution center, multiplied by a quantity that 3266
equals one minus the Ohio delivery percentage. If the qualified 3267
distribution center is a refining facility, "supplier" includes 3268
all dealers, brokers, processors, sellers, vendors, cosigners, and 3269
distributors of qualified property. 3270

(II) "Qualified property" means tangible personal property 3271
delivered to a qualified distribution center that is shipped to 3272
that qualified distribution center solely for further shipping by 3273
the qualified distribution center to another location in this 3274
state or elsewhere or, in the case of gold, silver, platinum, or 3275
palladium delivered to a refining facility solely for refining to 3276
a grade and fineness acceptable for delivery to a registered 3277
commodities exchange. "Further shipping" includes storing and 3278
repackaging property into smaller or larger bundles, so long as 3279
the property is not subject to further manufacturing or 3280
processing. "Refining" is limited to extracting impurities from 3281
gold, silver, platinum, or palladium through smelting or some 3282
other process at a refining facility. 3283

(III) "Qualified distribution center" means a warehouse, a 3284
facility similar to a warehouse, or a refining facility in this 3285
state that, for the qualifying year, is operated by a person that 3286
is not part of a combined taxpayer group and that has a qualifying 3287
certificate. All warehouses or facilities similar to warehouses 3288

that are operated by persons in the same taxpayer group and that 3289
are located within one mile of each other shall be treated as one 3290
qualified distribution center. All refining facilities that are 3291
operated by persons in the same taxpayer group and that are 3292
located in the same or adjacent counties may be treated as one 3293
qualified distribution center. 3294

(IV) "Qualifying year" means the calendar year to which the 3295
qualifying certificate applies. 3296

(V) "Qualifying period" means the period of the first day of 3297
July of the second year preceding the qualifying year through the 3298
thirtieth day of June of the year preceding the qualifying year. 3299

(VI) "Qualifying certificate" means the certificate issued by 3300
the tax commissioner after the operator of a distribution center 3301
files an annual application with the commissioner. The application 3302
and annual fee shall be filed and paid for each qualified 3303
distribution center on or before the first day of September before 3304
the qualifying year or within forty-five days after the 3305
distribution center opens, whichever is later. 3306

The applicant must substantiate to the commissioner's 3307
satisfaction that, for the qualifying period, all persons 3308
operating the distribution center have more than fifty per cent of 3309
the cost of the qualified property shipped to a location such that 3310
it would be situated outside this state under the provisions of 3311
division (E) of section 5751.033 of the Revised Code. The 3312
applicant must also substantiate that the distribution center 3313
cumulatively had costs from its suppliers equal to or exceeding 3314
five hundred million dollars during the qualifying period. (For 3315
purposes of division (F)(2)(z)(i)(VI) of this section, "supplier" 3316
excludes any person that is part of the consolidated elected 3317
taxpayer group, if applicable, of the operator of the qualified 3318
distribution center.) The commissioner may require the applicant 3319
to have an independent certified public accountant certify that 3320

the calculation of the minimum thresholds required for a qualified 3321
distribution center by the operator of a distribution center has 3322
been made in accordance with generally accepted accounting 3323
principles. The commissioner shall issue or deny the issuance of a 3324
certificate within sixty days after the receipt of the 3325
application. A denial is subject to appeal under section 5717.02 3326
of the Revised Code. If the operator files a timely appeal under 3327
section 5717.02 of the Revised Code, the operator shall be granted 3328
a qualifying certificate effective for the remainder of the 3329
qualifying year or until the appeal is finalized, whichever is 3330
earlier. If the operator does not prevail in the appeal, the 3331
operator shall pay the ineligible operator's supplier tax 3332
liability. 3333

(VII) "Ohio delivery percentage" means the proportion of the 3334
total property delivered to a destination inside Ohio from the 3335
qualified distribution center during the qualifying period 3336
compared with total deliveries from such distribution center 3337
everywhere during the qualifying period. 3338

(VIII) "Refining facility" means one or more buildings 3339
located in a county in the Appalachian region of this state as 3340
defined by section 107.21 of the Revised Code and utilized for 3341
refining or smelting gold, silver, platinum, or palladium to a 3342
grade and fineness acceptable for delivery to a registered 3343
commodities exchange. 3344

(IX) "Registered commodities exchange" means a board of 3345
trade, such as New York mercantile exchange, inc. or commodity 3346
exchange, inc., designated as a contract market by the commodity 3347
futures trading commission under the "Commodity Exchange Act," 7 3348
U.S.C. 1 et seq., as amended. 3349

(X) "Ineligible operator's supplier tax liability" means an 3350
amount equal to the tax liability of all suppliers of a 3351
distribution center had the distribution center not been issued a 3352

qualifying certificate for the qualifying year. Ineligible 3353
operator's supplier tax liability shall not include interest or 3354
penalties. The tax commissioner shall determine an ineligible 3355
operator's supplier tax liability based on information that the 3356
commissioner may request from the operator of the distribution 3357
center. An operator shall provide a list of all suppliers of the 3358
distribution center and the corresponding costs of qualified 3359
property for the qualifying year at issue within sixty days of a 3360
request by the commissioner under this division. 3361

(ii)(I) If the distribution center is new and was not open 3362
for the entire qualifying period, the operator of the distribution 3363
center may request that the commissioner grant a qualifying 3364
certificate. If the certificate is granted and it is later 3365
determined that more than fifty per cent of the qualified property 3366
during that year was not shipped to a location such that it would 3367
be situated outside of this state under the provisions of division 3368
(E) of section 5751.033 of the Revised Code or if it is later 3369
determined that the person that operates the distribution center 3370
had average monthly costs from its suppliers of less than forty 3371
million dollars during that year, then the operator of the 3372
distribution center shall pay the ineligible operator's supplier 3373
tax liability. (For purposes of division (F)(2)(z)(ii) of this 3374
section, "supplier" excludes any person that is part of the 3375
consolidated elected taxpayer group, if applicable, of the 3376
operator of the qualified distribution center.) 3377

(II) The commissioner may grant a qualifying certificate to a 3378
distribution center that does not qualify as a qualified 3379
distribution center for an entire qualifying period if the 3380
operator of the distribution center demonstrates that the business 3381
operations of the distribution center have changed or will change 3382
such that the distribution center will qualify as a qualified 3383
distribution center within thirty-six months after the date the 3384

operator first applies for a certificate. If, at the end of that 3385
thirty-six-month period, the business operations of the 3386
distribution center have not changed such that the distribution 3387
center qualifies as a qualified distribution center, the operator 3388
of the distribution center shall pay the ineligible operator's 3389
supplier tax liability for each year that the distribution center 3390
received a certificate but did not qualify as a qualified 3391
distribution center. For each year the distribution center 3392
receives a certificate under division (F)(2)(z)(ii)(II) of this 3393
section, the distribution center shall pay all applicable fees 3394
required under division (F)(2)(z) of this section and shall submit 3395
an updated business plan showing the progress the distribution 3396
center made toward qualifying as a qualified distribution center 3397
during the preceding year. 3398

(III) An operator may appeal a determination under division 3399
(F)(2)(z)(ii)(I) or (II) of this section that the ineligible 3400
operator is liable for the operator's supplier tax liability as a 3401
result of not qualifying as a qualified distribution center, as 3402
provided in section 5717.02 of the Revised Code. 3403

(iii) When filing an application for a qualifying certificate 3404
under division (F)(2)(z)(i)(VI) of this section, the operator of a 3405
qualified distribution center also shall provide documentation, as 3406
the commissioner requires, for the commissioner to ascertain the 3407
Ohio delivery percentage. The commissioner, upon issuing the 3408
qualifying certificate, also shall certify the Ohio delivery 3409
percentage. The operator of the qualified distribution center may 3410
appeal the commissioner's certification of the Ohio delivery 3411
percentage in the same manner as an appeal is taken from the 3412
denial of a qualifying certificate under division (F)(2)(z)(i)(VI) 3413
of this section. 3414

(iv)(I) In the case where the distribution center is new and 3415
not open for the entire qualifying period, the operator shall make 3416

a good faith estimate of an Ohio delivery percentage for use by 3417
suppliers in their reports of taxable gross receipts for the 3418
remainder of the qualifying period. The operator of the facility 3419
shall disclose to the suppliers that such Ohio delivery percentage 3420
is an estimate and is subject to recalculation. By the due date of 3421
the next application for a qualifying certificate, the operator 3422
shall determine the actual Ohio delivery percentage for the 3423
estimated qualifying period and proceed as provided in division 3424
(F)(2)(z)(iii) of this section with respect to the calculation and 3425
recalculation of the Ohio delivery percentage. The supplier is 3426
required to file, within sixty days after receiving notice from 3427
the operator of the qualified distribution center, amended reports 3428
for the impacted calendar quarter or quarters or calendar year, 3429
whichever the case may be. Any additional tax liability or tax 3430
overpayment shall be subject to interest but shall not be subject 3431
to the imposition of any penalty so long as the amended returns 3432
are timely filed. 3433

(II) The operator of a distribution center that receives a 3434
qualifying certificate under division (F)(2)(z)(ii)(II) of this 3435
section shall make a good faith estimate of the Ohio delivery 3436
percentage that the operator estimates will apply to the 3437
distribution center at the end of the thirty-six-month period 3438
after the operator first applied for a qualifying certificate 3439
under that division. The result of the estimate shall be 3440
multiplied by a factor of one and seventy-five one-hundredths. The 3441
product of that calculation shall be the Ohio delivery percentage 3442
used by suppliers in their reports of taxable gross receipts for 3443
each qualifying year that the distribution center receives a 3444
qualifying certificate under division (F)(2)(z)(ii)(II) of this 3445
section, except that, if the product is less than five per cent, 3446
the Ohio delivery percentage used shall be five per cent and that, 3447
if the product exceeds forty-nine per cent, the Ohio delivery 3448
percentage used shall be forty-nine per cent. 3449

(v) Qualifying certificates and Ohio delivery percentages 3450
issued by the commissioner shall be open to public inspection and 3451
shall be timely published by the commissioner. A supplier relying 3452
in good faith on a certificate issued under this division shall 3453
not be subject to tax on the qualifying distribution center 3454
receipts under division (F)(2)(z) of this section. An operator 3455
receiving a qualifying certificate is liable for the ineligible 3456
operator's supplier tax liability for each year the operator 3457
received a certificate but did not qualify as a qualified 3458
distribution center. 3459

(vi) The annual fee for a qualifying certificate shall be one 3460
hundred thousand dollars for each qualified distribution center. 3461
If a qualifying certificate is not issued, the annual fee is 3462
subject to refund after the exhaustion of all appeals provided for 3463
in division (F)(2)(z)(i)(VI) of this section. The first one 3464
hundred thousand dollars of the annual application fees collected 3465
each calendar year shall be credited to the revenue enhancement 3466
fund. The remainder of the annual application fees collected shall 3467
be distributed in the same manner required under section 5751.20 3468
of the Revised Code. 3469

(vii) The tax commissioner may require that adequate security 3470
be posted by the operator of the distribution center on appeal 3471
when the commissioner disagrees that the applicant has met the 3472
minimum thresholds for a qualified distribution center as set 3473
forth in division (F)(2)(z) of this section. 3474

(aa) Receipts of an employer from payroll deductions relating 3475
to the reimbursement of the employer for advancing moneys to an 3476
unrelated third party on an employee's behalf; 3477

(bb) Cash discounts allowed and taken; 3478

(cc) Returns and allowances; 3479

(dd) Bad debts from receipts on the basis of which the tax 3480

imposed by this chapter was paid in a prior quarterly tax payment 3481
period. For the purpose of this division, "bad debts" means any 3482
debts that have become worthless or uncollectible between the 3483
preceding and current quarterly tax payment periods, have been 3484
uncollected for at least six months, and that may be claimed as a 3485
deduction under section 166 of the Internal Revenue Code and the 3486
regulations adopted under that section, or that could be claimed 3487
as such if the taxpayer kept its accounts on the accrual basis. 3488
"Bad debts" does not include repossessed property, uncollectible 3489
amounts on property that remains in the possession of the taxpayer 3490
until the full purchase price is paid, or expenses in attempting 3491
to collect any account receivable or for any portion of the debt 3492
recovered; 3493

(ee) Any amount realized from the sale of an account 3494
receivable to the extent the receipts from the underlying 3495
transaction giving rise to the account receivable were included in 3496
the gross receipts of the taxpayer; 3497

(ff) Any receipts directly attributed to a transfer agreement 3498
or to the enterprise transferred under that agreement under 3499
section 4313.02 of the Revised Code. 3500

(gg)(i) As used in this division: 3501

(I) "Qualified uranium receipts" means receipts from the 3502
sale, exchange, lease, loan, production, processing, or other 3503
disposition of uranium within a uranium enrichment zone certified 3504
by the tax commissioner under division (F)(2)(gg)(ii) of this 3505
section. "Qualified uranium receipts" does not include any 3506
receipts with a situs in this state outside a uranium enrichment 3507
zone certified by the tax commissioner under division 3508
(F)(2)(gg)(ii) of this section. 3509

(II) "Uranium enrichment zone" means all real property that 3510
is part of a uranium enrichment facility licensed by the United 3511

States nuclear regulatory commission and that was or is owned or 3512
controlled by the United States department of energy or its 3513
successor. 3514

(ii) Any person that owns, leases, or operates real or 3515
tangible personal property constituting or located within a 3516
uranium enrichment zone may apply to the tax commissioner to have 3517
the uranium enrichment zone certified for the purpose of excluding 3518
qualified uranium receipts under division (F)(2)(gg) of this 3519
section. The application shall include such information that the 3520
tax commissioner prescribes. Within sixty days after receiving the 3521
application, the tax commissioner shall certify the zone for that 3522
purpose if the commissioner determines that the property qualifies 3523
as a uranium enrichment zone as defined in division (F)(2)(gg) of 3524
this section, or, if the tax commissioner determines that the 3525
property does not qualify, the commissioner shall deny the 3526
application or request additional information from the applicant. 3527
If the tax commissioner denies an application, the commissioner 3528
shall state the reasons for the denial. The applicant may appeal 3529
the denial of an application to the board of tax appeals pursuant 3530
to section 5717.02 of the Revised Code. If the applicant files a 3531
timely appeal, the tax commissioner shall conditionally certify 3532
the applicant's property. The conditional certification shall 3533
expire when all of the applicant's appeals are exhausted. Until 3534
final resolution of the appeal, the applicant shall retain the 3535
applicant's records in accordance with section 5751.12 of the 3536
Revised Code, notwithstanding any time limit on the preservation 3537
of records under that section. 3538

(hh) In the case of amounts collected by a licensed casino 3539
operator from casino gaming, amounts in excess of the casino 3540
operator's gross casino revenue. In this division, "casino 3541
operator" and "casino gaming" have the meanings defined in section 3542
3772.01 of the Revised Code, and "gross casino revenue" has the 3543

meaning defined in section 5753.01 of the Revised Code. 3544

(ii) Receipts realized from the sale of agricultural 3545
commodities by an agricultural commodity handler, both as defined 3546
in section 926.01 of the Revised Code, that is licensed by the 3547
director of agriculture to handle agricultural commodities in this 3548
state. 3549

(jj) Qualifying integrated supply chain receipts. 3550

As used in division (F)(2)(jj) of this section: 3551

(i) "Qualifying integrated supply chain receipts" means 3552
receipts of a qualified integrated supply chain vendor from the 3553
sale of qualified property delivered to, or integrated supply 3554
chain services provided to, another qualified integrated supply 3555
chain vendor or to a retailer that is a member of the integrated 3556
supply chain. "Qualifying integrated supply chain receipts" does 3557
not include receipts of a person that is not a qualified 3558
integrated supply chain vendor from the sale of raw materials to a 3559
member of an integrated supply chain, or receipts of a member of 3560
an integrated supply chain from the sale of qualified property or 3561
integrated supply chain services to a person that is not a member 3562
of the integrated supply chain. 3563

(ii) "Qualified property" means any of the following: 3564

(I) Component parts used to hold, contain, package, or 3565
dispense qualified products, excluding equipment; 3566

(II) Work-in-process inventory that will become, comprise, or 3567
form a component part of a qualified product capable of being sold 3568
at retail, excluding equipment, machinery, furniture, and 3569
fixtures; 3570

(III) Finished goods inventory that is a qualified product 3571
capable of being sold at retail in the inventory's present form. 3572

(iii) "Qualified integrated supply chain vendor" means a 3573

person that is a member of an integrated supply chain and that 3574
provides integrated supply chain services within a qualified 3575
integrated supply chain district to a retailer that is a member of 3576
the integrated supply chain or to another qualified integrated 3577
supply chain vendor that is located within the same such district 3578
as the person but does not share a common owner with that person. 3579

(iv) "Qualified product" means a personal care, health, or 3580
beauty product or an aromatic product, including a candle. 3581
"Qualified product" does not include a drug that may be dispensed 3582
only pursuant to a prescription, durable medical equipment, 3583
mobility enhancing equipment, or a prosthetic device, as those 3584
terms are defined in section 5739.01 of the Revised Code. 3585

(v) "Integrated supply chain" means two or more qualified 3586
integrated supply chain vendors certified on the most recent list 3587
certified to the tax commissioner under this division that 3588
systematically collaborate and coordinate business operations with 3589
a retailer on the flow of tangible personal property from material 3590
sourcing through manufacturing, assembly, packaging, and delivery 3591
to the retailer to improve long-term financial performance of each 3592
vendor and the supply chain that includes the retailer. 3593

For the purpose of the certification required under this 3594
division, the reporting person for each retailer, on or before the 3595
first day of October of each year, shall certify to the tax 3596
commissioner a list of the qualified integrated supply chain 3597
vendors providing or receiving integrated supply chain services 3598
within a qualified integrated supply chain district for the 3599
ensuing calendar year. On or before the following first day of 3600
November, the commissioner shall issue a certificate to the 3601
retailer and to each vendor certified to the commissioner on that 3602
list. The certificate shall include the names of the retailer and 3603
of the qualified integrated supply chain vendors. 3604

The retailer shall notify the commissioner of any changes to 3605

the list, including additions to or subtractions from the list or 3606
changes in the name or legal entity of vendors certified on the 3607
list, within sixty days after the date the retailer becomes aware 3608
of the change. Within thirty days after receiving that 3609
notification, the commissioner shall issue a revised certificate 3610
to the retailer and to each vendor certified on the list. The 3611
revised certificate shall include the effective date of the 3612
change. 3613

Each recipient of a certificate issued pursuant to this 3614
division shall maintain a copy of the certificate for four years 3615
from the date the certificate was received. 3616

(vi) "Integrated supply chain services" means procuring raw 3617
materials or manufacturing, processing, refining, assembling, 3618
packaging, or repackaging tangible personal property that will 3619
become finished goods inventory capable of being sold at retail by 3620
a retailer that is a member of an integrated supply chain. 3621

(vii) "Retailer" means a person primarily engaged in making 3622
retail sales and any member of that person's consolidated elected 3623
taxpayer group or combined taxpayer group, whether or not that 3624
member is primarily engaged in making retail sales. 3625

(viii) "Qualified integrated supply chain district" means the 3626
parcel or parcels of land from which a retailer's integrated 3627
supply chain that existed on September 29, 2015, provides or 3628
receives integrated supply chain services, and to which all of the 3629
following apply: 3630

(I) The parcel or parcels are located wholly in a county 3631
having a population of greater than one hundred sixty-five 3632
thousand but less than one hundred seventy thousand based on the 3633
2010 federal decennial census. 3634

(II) The parcel or parcels are located wholly in the 3635
corporate limits of a municipal corporation with a population 3636

greater than seven thousand five hundred and less than eight 3637
thousand based on the 2010 federal decennial census that is partly 3638
located in the county described in division (F)(2)(jj)(viii)(I) of 3639
this section, as those corporate limits existed on September 29, 3640
2015. 3641

(III) The aggregate acreage of the parcel or parcels equals 3642
or exceeds one hundred acres. 3643

(kk) In the case of a railroad company described in division 3644
(D)(9) of section 5727.01 of the Revised Code that purchases dyed 3645
diesel fuel directly from a supplier as defined by section 5736.01 3646
of the Revised Code, an amount equal to the product of the number 3647
of gallons of dyed diesel fuel purchased directly from such a 3648
supplier multiplied by the average wholesale price for a gallon of 3649
diesel fuel as determined under section 5736.02 of the Revised 3650
Code for the period during which the fuel was purchased multiplied 3651
by a fraction, the numerator of which equals the rate of tax 3652
levied by section 5736.02 of the Revised Code less the rate of tax 3653
computed in section 5751.03 of the Revised Code, and the 3654
denominator of which equals the rate of tax computed in section 3655
5751.03 of the Revised Code. 3656

(ll) Any receipts for which the tax imposed by this chapter 3657
is prohibited by the constitution or laws of the United States or 3658
the constitution of this state. 3659

(3) In the case of a taxpayer when acting as a real estate 3660
broker, "gross receipts" includes only the portion of any fee for 3661
the service of a real estate broker, or service of a real estate 3662
salesperson associated with that broker, that is retained by the 3663
broker and not paid to an associated real estate salesperson or 3664
another real estate broker. For the purposes of this division, 3665
"real estate broker" and "real estate salesperson" have the same 3666
meanings as in section 4735.01 of the Revised Code. 3667

(4) A taxpayer's method of accounting for gross receipts for a tax period shall be the same as the taxpayer's method of accounting for federal income tax purposes for the taxpayer's federal taxable year that includes the tax period. If a taxpayer's method of accounting for federal income tax purposes changes, its method of accounting for gross receipts under this chapter shall be changed accordingly.

(G) "Taxable gross receipts" means gross receipts situated to this state under section 5751.033 of the Revised Code.

(H) A person has "substantial nexus with this state" if any of the following applies. The person:

(1) Owns or uses a part or all of its capital in this state;

(2) Holds a certificate of compliance with the laws of this state authorizing the person to do business in this state;

(3) Has bright-line presence in this state;

(4) Otherwise has nexus with this state to an extent that the person can be required to remit the tax imposed under this chapter under the Constitution of the United States.

(I) A person has "bright-line presence" in this state for a reporting period and for the remaining portion of the calendar year if any of the following applies. The person:

(1) Has at any time during the calendar year property in this state with an aggregate value of at least fifty thousand dollars. For the purpose of division (I)(1) of this section, owned property is valued at original cost and rented property is valued at eight times the net annual rental charge.

(2) Has during the calendar year payroll in this state of at least fifty thousand dollars. Payroll in this state includes all of the following:

(a) Any amount subject to withholding by the person under

section 5747.06 of the Revised Code;	3698
(b) Any other amount the person pays as compensation to an individual under the supervision or control of the person for work done in this state; and	3699 3700 3701
(c) Any amount the person pays for services performed in this state on its behalf by another.	3702 3703
(3) Has during the calendar year taxable gross receipts of at least five hundred thousand dollars.	3704 3705
(4) Has at any time during the calendar year within this state at least twenty-five per cent of the person's total property, total payroll, or total gross receipts.	3706 3707 3708
(5) Is domiciled in this state as an individual or for corporate, commercial, or other business purposes.	3709 3710
(J) "Tangible personal property" has the same meaning as in section 5739.01 of the Revised Code.	3711 3712
(K) "Internal Revenue Code" means the Internal Revenue Code of 1986, 100 Stat. 2085, 26 U.S.C. 1, as amended. Any term used in this chapter that is not otherwise defined has the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes unless a different meaning is clearly required. Any reference in this chapter to the Internal Revenue Code includes other laws of the United States relating to federal income taxes.	3713 3714 3715 3716 3717 3718 3719 3720
(L) "Calendar quarter" means a three-month period ending on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September, or the thirty-first day of December.	3721 3722 3723
(M) "Tax period" means the calendar quarter or calendar year on the basis of which a taxpayer is required to pay the tax imposed under this chapter.	3724 3725 3726
(N) "Calendar year taxpayer" means a taxpayer for which the	3727

tax period is a calendar year.	3728
(O) "Calendar quarter taxpayer" means a taxpayer for which the tax period is a calendar quarter.	3729 3730
(P) "Agent" means a person authorized by another person to act on its behalf to undertake a transaction for the other, including any of the following:	3731 3732 3733
(1) A person receiving a fee to sell financial instruments;	3734
(2) A person retaining only a commission from a transaction with the other proceeds from the transaction being remitted to another person;	3735 3736 3737
(3) A person issuing licenses and permits under section 1533.13 of the Revised Code;	3738 3739
(4) A lottery sales agent holding a valid license issued under section 3770.05 of the Revised Code;	3740 3741
(5) A person acting as an agent of the division of liquor control under section 4301.17 of the Revised Code.	3742 3743
(Q) "Received" includes amounts accrued under the accrual method of accounting.	3744 3745
(R) "Reporting person" means a person in a consolidated elected taxpayer or combined taxpayer group that is designated by that group to legally bind the group for all filings and tax liabilities and to receive all legal notices with respect to matters under this chapter, or, for the purposes of section 5751.04 of the Revised Code, a separate taxpayer that is not a member of such a group.	3746 3747 3748 3749 3750 3751 3752
Sec. 6301.11. <u>The As used in this section, "public or private institution" has the same meaning as in section 3333.93 of the Revised Code.</u>	3753 3754 3755
<u>The</u> state board, in connection with the department of job and	3756

family services and public or private institutions, shall develop 3757
a methodology for identifying jobs that are in demand by employers 3758
operating in this state. The methodology for identifying in-demand 3759
jobs shall include an analysis of jobs that are in demand in each 3760
region of the state. The director of job and family services shall 3761
determine the regions. 3762

The department and the public or private institutions, in 3763
consultation with the state board, shall use the methodology to 3764
create a list of such in-demand jobs and in the state and a list 3765
of such in-demand jobs in each region of the state. The department 3766
shall publish the ~~list~~ lists on the web site of the department ~~on~~ 3767
~~or before December 31, 2014.~~ The department and public or private 3768
institutions shall periodically update the ~~list~~ lists to reflect 3769
evolving workforce demands in this state and its regions. 3770

Local boards, workforce development agencies, and other 3771
providers of workforce training shall use the ~~list~~ lists of 3772
in-demand jobs to cultivate and prioritize workforce development 3773
activities that correspond to the employment needs of employers 3774
operating in this state and in each of its regions and to assist 3775
individuals in maximizing their employment opportunities. 3776

Section 101.02. That existing sections 109.572, 124.386, 3777
133.06, 135.182, 164.20, 189.10, 353.03, 1121.10, 1121.24, 3778
1123.03, 1181.17, 3307.01, 3309.013, 3313.976, 3314.085, 3779
3317.0216, 3318.71, 3319.271, 3335.361, 3702.59, 3721.03, 5104.01, 3780
5104.03, 5705.2112, 5709.17, 5726.98, 5733.01, 5733.98, 5751.01, 3781
and 6301.11 and sections 1121.29, 1155.13, 1163.16, 5726.51, and 3782
5733.063 of the Revised Code are hereby repealed. 3783

Section 125.10. Section 3333.93 of the Revised Code is hereby 3784
repealed, effective December 31, 2019. 3785

Section 610.10. That Sections 241.10, 259.10, 259.40, 263.10, 3786

263.280, 337.10, 337.30, 369.10, 369.314, 369.393, 369.470, 3787
 371.10, 401.10, and 701.120 of Am. Sub. H.B. 64 of the 131st 3788
 General Assembly be amended to read as follows: 3789

Sec. 241.10. COM DEPARTMENT OF COMMERCE 3790

Dedicated Purpose Fund Group 3791

4B20 800631 Real Estate Appraisal \$ 35,000 \$ 35,000 3792

Recovery

4H90 800608 Cemeteries \$ 274,080 \$ 278,352 3793

4X20 800619 Financial Institutions \$ 1,854,298 \$ 1,854,298 3794

5430 800602 Unclaimed \$ 7,764,160 \$ 7,779,076 3795

Funds-Operating

5430 800625 Unclaimed Funds-Claims \$ 64,000,000 \$ 64,000,000 3796

5440 800612 Banks \$ 6,867,039 \$ 6,885,074 3797

5450 800613 Savings Institutions \$ 2,464,495 \$ 2,533,005 3798

5460 800610 Fire Marshal \$ 17,153,766 \$ 16,746,648 3799

5460 800639 Fire Department Grants \$ 5,200,000 \$ 5,200,000 3800

5470 800603 Real Estate \$ 69,655 \$ 69,655 3801

Education/Research

5480 800611 Real Estate Recovery \$ 50,000 \$ 50,000 3802

5490 800614 Real Estate \$ 3,374,714 \$ 3,409,090 3803

5500 800617 Securities \$ 4,421,403 \$ 4,577,915 3804

5520 800604 Credit Union \$ 3,343,696 \$ 3,374,104 3805

5530 800607 Consumer Finance \$ 3,946,050 \$ 4,138,634 3806

5560 800615 Industrial Compliance \$ 27,882,765 \$ 28,318,049 3807

5F10 800635 Small Government Fire \$ 300,000 \$ 300,000 3808

Departments

5FW0 800616 Financial Literacy \$ 190,000 \$ 190,000 3809

Education

5GK0 800609 Securities Investor \$ 432,150 \$ 432,150 3810

Education/Enforcement

5HV0 800641 Cigarette Enforcement \$ 70,000 \$ 70,000 3811

that additional appropriation amounts are necessary to make such 3835
payments, the Director of Commerce may request that the Director 3836
of Budget and Management increase such amounts. Such amounts are 3837
hereby appropriated. 3838

DIVISION OF REAL ESTATE AND PROFESSIONAL LICENSING 3839

The foregoing appropriation item 800631, Real Estate 3840
Appraiser Recovery, shall be used to pay settlements, judgments, 3841
and court orders under section 4763.16 of the Revised Code. If it 3842
is determined by the Director of Commerce that additional 3843
appropriation amounts are necessary to make such payments, the 3844
Director of Commerce may request that the Director of Budget and 3845
Management increase such amounts. Such amounts are hereby 3846
appropriated. 3847

The foregoing appropriation item 800611, Real Estate 3848
Recovery, shall be used to pay settlements, judgments, and court 3849
orders under section 4735.12 of the Revised Code. If it is 3850
determined by the Director of Commerce that additional 3851
appropriation amounts are necessary to make such payments, the 3852
Director of Commerce may request that the Director of Budget and 3853
Management increase such amounts. Such amounts are hereby 3854
appropriated. 3855

FIRE DEPARTMENT GRANTS 3856

Of the foregoing appropriation item 800639, Fire Department 3857
Grants, \$500,000 in fiscal year 2016 shall be awarded to Jefferson 3858
Township in Clinton County to build a new firehouse. 3859

Of the foregoing appropriation item 800639, Fire Department 3860
Grants, up to \$5,200,000 in fiscal year 2016 and \$5,200,000 in 3861
fiscal year 2017 shall be used to make annual grants to the 3862
following eligible recipients: volunteer fire departments, fire 3863
departments that serve one or more small municipalities or small 3864
townships, joint fire districts comprised of fire departments that 3865

primarily serve small municipalities or small townships, local 3866
units of government responsible for such fire departments, and 3867
local units of government responsible for the provision of fire 3868
protection services for small municipalities or small townships. 3869
For the purposes of these grants, a private fire company, as that 3870
phrase is defined in section 9.60 of the Revised Code, that is 3871
providing fire protection services under a contract to a political 3872
subdivision of the state, is an additional eligible recipient for 3873
a training grant. 3874

Eligible recipients that consist of small municipalities or 3875
small townships that all intend to contract with the same fire 3876
department or private fire company for fire protection services 3877
may jointly apply and be considered for a grant. If a joint 3878
applicant is awarded a grant, the State Fire Marshal shall, if 3879
feasible, proportionately award the grant and any equipment 3880
purchased with grant funds to each of the joint applicants based 3881
upon each applicant's contribution to and demonstrated need for 3882
fire protection services. 3883

If the grant awarded to joint applicants is an equipment 3884
grant and the equipment to be purchased cannot be readily 3885
distributed or possessed by multiple recipients, each of the joint 3886
applicants shall be awarded by the State Fire Marshal an ownership 3887
interest in the equipment so purchased in proportion to each 3888
applicant's contribution to and demonstrated need for fire 3889
protection services. The joint applicants shall then mutually 3890
agree on how the equipment is to be maintained, operated, stored, 3891
or disposed of. If, for any reason, the joint applicants cannot 3892
agree as to how jointly owned equipment is to be maintained, 3893
operated, stored, or disposed of or any of the joint applicants no 3894
longer maintain a contract with the same fire protection service 3895
provider as the other applicants, then the joint applicants shall, 3896
with the assistance of the State Fire Marshal, mutually agree as 3897

to how the jointly owned equipment is to be maintained, operated, 3898
stored, disposed of, or owned. If the joint applicants cannot 3899
agree how the grant equipment is to be maintained, operated, 3900
stored, disposed of, or owned, the State Fire Marshal may, in its 3901
discretion, require all of the equipment acquired by the joint 3902
applicants with grant funds to be returned to the State Fire 3903
Marshal. The State Fire Marshal may then award the returned 3904
equipment to any eligible recipients. For this paragraph only, an 3905
"equipment grant" also includes a MARCS Grant. 3906

Except as otherwise provided in this section, the grants 3907
shall be used by recipients to purchase firefighting or rescue 3908
equipment or gear or similar items, to provide full or partial 3909
reimbursement for the documented costs of firefighter training, 3910
or, at the discretion of the State Fire Marshal, to cover fire 3911
department costs for providing fire protection services in that 3912
grant recipient's jurisdiction. 3913

Of the foregoing appropriation item 800639, Fire Department 3914
Grants, up to \$500,000 per fiscal year may be used to pay for the 3915
State Fire Marshal's costs of providing firefighter I 3916
certification classes or other firefighter classes approved by the 3917
Department of Public Safety in accordance with section 4765.55 of 3918
the Revised Code at no cost to selected students attending the 3919
Ohio Fire Academy or other class providers approved by the State 3920
Fire Marshal. The State Fire Marshal may establish the 3921
qualifications and selection processes for students to attend such 3922
classes by written policy, and such students shall be considered 3923
eligible recipients of fire department grants for the purposes of 3924
this portion of the grant program. 3925

For purposes of this section, a MARCS Grant is a grant for 3926
systems, equipment, or services that are a part of, integrated 3927
into, or otherwise interoperable with the Multi-Agency Radio 3928
Communication System (MARCS) operated by the state. 3929

Of the foregoing appropriation item 800639, Fire Department 3930
Grants, up to \$3,000,000 in each fiscal year may be used for MARCS 3931
Grants. MARCS Grants may be used for the payment of user access 3932
fees by the eligible recipient to access MARCS. 3933

MARCS Grant awards may be up to \$50,000 in each fiscal year 3934
per eligible recipient. Each eligible recipient may only apply, as 3935
a separate entity or as a part of a joint application, for one 3936
MARCS Grant per fiscal year. The State Fire Marshal may give a 3937
preference in the awarding of MARCS Grants to grants that will 3938
enhance the overall interoperability and effectiveness of 3939
emergency communication networks in the geographic region that 3940
includes and that is adjacent to the applicant. Eligible 3941
recipients that are or were awarded fire department grants that 3942
are not MARCS Grants may also apply for and receive MARCS Grants 3943
in accordance with criteria for the awarding of grant funds 3944
established by the State Fire Marshal. 3945

Grant awards for firefighting or rescue equipment or gear or 3946
for fire department costs of providing fire protection services 3947
shall be up to \$15,000 per fiscal year, or up to \$25,000 per 3948
fiscal year if an eligible entity serves a jurisdiction in which 3949
the Governor declared a natural disaster during the preceding or 3950
current fiscal year in which the grant was awarded. In addition to 3951
any grant funds awarded for rescue equipment or gear, or for fire 3952
department costs associated with the provision of fire protection 3953
services, an eligible entity may receive a grant for up to \$15,000 3954
per fiscal year for full or partial reimbursement of the 3955
documented costs of firefighter training. For each fiscal year, 3956
the State Fire Marshal shall determine the total amounts to be 3957
allocated for each eligible purpose. 3958

The grant program shall be administered by the State Fire 3959
Marshal in accordance with rules the State Fire Marshal adopts as 3960
part of the state fire code adopted pursuant to section 3737.82 of 3961

the Revised Code that are necessary for the administration and 3962
operation of the grant program. The rules may further define the 3963
entities eligible to receive grants and establish criteria for the 3964
awarding and expenditure of grant funds, including methods the 3965
State Fire Marshal may use to verify the proper use of grant funds 3966
or to obtain reimbursement for or the return of equipment for 3967
improperly used grant funds. To the extent consistent with this 3968
section and until such time as the rules are updated, the existing 3969
rules in the state fire code adopted pursuant to section 3737.82 3970
of the Revised Code for fire department grants under this section 3971
apply to MARCS Grants. Any amounts in appropriation item 800639, 3972
Fire Department Grants, in excess of the amount allocated for 3973
these grants may be used for the administration of the grant 3974
program. 3975

CASH TRANSFERS TO DIVISION OF REAL ESTATE OPERATING FUND 3976

Upon the written request of the Director of Commerce, the 3977
Director of Budget and Management may transfer up to \$500,000 in 3978
cash from the Real Estate Recovery Fund (Fund 5480) and up to 3979
\$250,000 in cash from the Real Estate Appraiser Recovery Fund 3980
(Fund 4B20) to the Division of Real Estate Operating Fund (Fund 3981
5490) during the biennium ending June 30, 2017. 3982

UNCLAIMED FUNDS TRANSFER TO BANKS FUND AND SAVINGS 3983

INSTITUTIONS FUND 3984

Notwithstanding division (A) of section 169.05 of the Revised 3985
Code, upon the request of the Director of Budget and Management, 3986
the Director of Commerce may transfer up to \$9,300,000 in fiscal 3987
year 2016 and \$10,300,000 in fiscal year 2017 of unclaimed funds 3988
that have been reported by holders of unclaimed funds under 3989
section 169.05 of the Revised Code to the Banks Fund (Fund 5440) 3990
or the Savings Institutions Fund (Fund 5450) as needed during the 3991
biennium ending June 30, 2017. These cash transfers may be made to 3992
supplement amounts in Fund 5440 and Fund 5450 that are available 3993

for the oversight of bank organizations. 3994

REFUND OF ASSESSMENTS TO BANKS AND SAVINGS INSTITUTIONS 3995

On or after the effective date of the repeal or amendment by 3996
this act of provisions related to the assessment on banks and 3997
savings institutions, the Department of Commerce shall refund any 3998
assessments related to those provisions collected after January 1, 3999
2015, from the Banks Fund (Fund 5440) or the Savings Institutions 4000
Fund (Fund 5450). Refunds shall be equal to the amount assessed. 4001

Notwithstanding any provision of law to the contrary, the 4002
Department of Commerce shall not assess or collect any additional 4003
assessments or fees related to the former provisions as amended by 4004
this act. Upon the completion of all refunds required under this 4005
section, the Director of Commerce shall certify the total amounts 4006
refunded to the Director of Budget and Management. The Director of 4007
Budget and Management may increase the fiscal year 2016 4008
appropriations in the Banks Fund (Fund 5440) or the Savings 4009
Institutions Fund (Fund 5450) up to the amounts certified as 4010
necessary. 4011

CASH TRANSFER TO SMALL GOVERNMENT FIRE DEPARTMENT SERVICES 4012
REVOLVING LOAN FUND 4013

Upon the written request of the Director of Commerce, the 4014
Director of Budget and Management may transfer up to \$300,000 in 4015
cash from the State Fire Marshal Fund (Fund 5460) to the Small 4016
Government Fire Department Services Revolving Loan Fund (Fund 4017
5F10) during the biennium ending June 30, 2017. 4018

ADMINISTRATIVE ASSESSMENTS 4019

Notwithstanding any other provision of law to the contrary, 4020
the Division of Administration Fund (Fund 1630) is entitled to 4021
receive assessments from all operating funds of the Department in 4022
accordance with procedures prescribed by the Director of Commerce 4023
and approved by the Director of Budget and Management. 4024

Sec. 259.10. DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES				4025
General Revenue Fund				4026
GRF	320321	Central Administration	\$ 164,750 \$ 164,750	4027
GRF	320412	Protective Services	\$ 2,418,196 \$ 2,418,196	4028
GRF	320415	Developmental Disabilities Facilities Lease Rental Bond Payments	\$ 20,817,900 \$ 19,902,200	4029
GRF	322420	Screening and Early Intervention	\$ 808,500 \$ 808,500	4030
GRF	322451	Family Support Services	\$ 5,982,758 \$ 5,982,758 5,932,758 5,932,758	4031
GRF	322501	County Boards Subsidies	\$ 44,149,280 \$ 44,149,280	4032
GRF	322503	Tax Equity	\$ 14,000,000 \$ 14,000,000	4033
GRF	322507	County Board Case Management	\$ 2,500,000 \$ 2,500,000	4034
GRF	322508	Employment First Initiative	\$ 5,800,000 \$ 5,800,000	4035
GRF	322509	Community Supports & Rental Assistance	\$ 750,000 \$ 750,000	4036
GRF	653321	Medicaid Program Support - State	\$ 6,186,694 \$ 6,186,694	4037
GRF	653407	Medicaid Services	\$ 482,137,300 \$ 543,467,830	4038
TOTAL GRF General Revenue Fund			\$ 585,715,378 \$ 646,130,208 585,665,378 646,080,208	4039
Dedicated Purpose Fund Group				4040
5GE0	320606	Operating and Services	\$ 10,107,297 \$ 10,107,297	4041
5QM0	320607	System Transformation	\$ 4,500,000 \$ 3,000,000	4042

		Supports				
2210	322620	Supplement Service	\$	150,000	\$	150,000 4043
		Trust				
5DJ0	322625	Targeted Case	\$	38,000,000	\$	43,000,000 4044
		Management Match				
5DK0	322629	Capital Replacement	\$	750,000	\$	750,000 4045
		Facilities				
5H00	322619	Medicaid Repayment	\$	160,000	\$	160,000 4046
5JX0	322651	Interagency Workgroup	\$	25,000		25,000 4047
		- Autism				
4890	653632	DC Direct Care	\$	10,050,000	\$	10,050,000 4048
		Services				
5CT0	653607	Intensive Behavioral	\$	1,000,000	\$	1,000,000 4049
		Needs				
5DJ0	653626	Targeted Case	\$	101,000,000	\$	113,000,000 4050
		Management Services				
5EV0	653627	Medicaid Program	\$	1,500,000	\$	1,500,000 4051
		Support				
5GE0	653606	ICF/IID and Waiver	\$	37,682,901	\$	37,575,865 4052
		Match				
5S20	653622	Medicaid Admin and	\$	19,032,154	\$	19,032,154 4053
		Oversight				
5Z10	653624	County Board Waiver	\$	382,814,610	\$	426,207,065 4054
		Match				
TOTAL DPF		Dedicated Purpose Fund	\$	606,771,962	\$	665,557,381 4055
		Group				
		Internal Service Activity Fund Group				4056
1520	653609	DC and Residential	\$	11,000,000	\$	11,000,000 4057
		Operating Services				
TOTAL ISA		Internal Service Activity				4058
		Fund Group	\$	11,000,000	\$	11,000,000 4059
		Federal Fund Group				4060

3A50	320613	DD Council	\$	3,324,187	\$	3,324,187	4061
3250	322612	Community Social Service Programs	\$	10,604,896	\$	10,604,896	4062
3A40	653604	DC & ICF/IID Program Support	\$	8,013,611	\$	8,013,611	4063
3A40	653605	DC and Residential Services and Support	\$	118,423,968	\$	110,604,417	4064
3A40	653653	ICF/IID	\$	357,362,616	\$	356,283,407	4065
3G60	653639	Medicaid Waiver Services	\$	1,019,289,925	\$	1,180,039,348	4066
3G60	653640	Medicaid Waiver Program Support	\$	46,525,638	\$	47,225,486	4067
3M70	653650	CAFS Medicaid	\$	3,000,000	\$	3,000,000	4068
TOTAL FED	Federal Fund Group		\$	1,566,544,841	\$	1,719,095,352	4069
TOTAL ALL BUDGET FUND GROUPS			\$	2,770,032,181	\$	3,041,782,941	4070
				<u>2,769,982,181</u>		<u>3,041,732,941</u>	

Sec. 259.40. FAMILY SUPPORT SERVICES SUBSIDY 4072

The foregoing appropriation item 322451, Family Support 4073
 Services, may be used as follows in fiscal year 2016 and fiscal 4074
 year 2017: 4075

(A) The appropriation item may be used to provide a subsidy 4076
 to county boards of developmental disabilities for family support 4077
 services provided under section 5126.11 of the Revised Code. The 4078
 subsidy shall be paid in quarterly installments and allocated to 4079
 county boards according to a formula the Director of Developmental 4080
 Disabilities shall develop in consultation with representatives of 4081
 county boards. A county board shall use not more than seven per 4082
 cent of its subsidy for administrative costs. 4083

(B) The appropriation item may be used to distribute funds to 4084
 county boards for the purpose of addressing economic hardships and 4085
 to promote efficiency of operations. In consultation with 4086

representatives of county boards, the Director shall determine the 4087
amount of funds to distribute for these purposes and the criteria 4088
for distributing the funds. 4089

~~(C) Of the foregoing appropriation item 322451, Family 4090
Support Services, \$50,000 in each fiscal year shall be provided to 4091
the Beck Center for the Performing Arts. 4092~~

Sec. 263.10. EDU DEPARTMENT OF EDUCATION 4093

General Revenue Fund 4094

GRF 200321 Operating Expenses \$ 13,967,708 \$ 14,267,708 4095

GRF 200408 Early Childhood \$ 60,268,341 \$ 70,268,341 4096

Education

GRF 200420 Information Technology \$ 3,841,296 \$ 3,841,296 4097

Development and

Support

GRF 200421 Alternative Education \$ 10,753,998 \$ 10,753,998 4098

Programs

GRF 200422 School Management \$ 3,000,000 \$ 3,000,000 4099

Assistance

GRF 200424 Policy Analysis \$ 428,558 \$ 428,558 4100

GRF 200425 Tech Prep Consortia \$ 260,542 \$ 260,542 4101

Support

GRF 200426 Ohio Educational \$ 16,200,000 \$ 16,200,000 4102

Computer Network

GRF 200427 Academic Standards \$ 3,800,000 \$ 3,800,000 4103

GRF 200437 Student Assessment \$ 60,241,438 \$ 59,830,050 4104

GRF 200439 Accountability/Report \$ 4,897,310 \$ 4,897,310 4105

Cards

GRF 200442 Child Care Licensing \$ 1,822,500 \$ 1,822,500 4106

GRF 200446 Education Management \$ 6,833,070 \$ 6,833,070 4107

Information System

GRF 200447 GED Testing \$ 324,000 \$ 324,000 4108

GRF 200448	Educator Preparation	\$	1,689,237	\$	1,689,237	4109
GRF 200455	Community Schools and Choice Programs	\$	3,651,395	\$	3,731,395	4110
GRF 200457	STEM Initiatives	\$	150,000	\$	0	4111
GRF 200465	Education Technology Resources	\$	3,170,976	\$	3,170,976	4112
GRF 200502	Pupil Transportation	\$	567,723,920	\$	603,486,409	4113
GRF 200505	School Lunch Match	\$	9,100,000	\$	9,100,000	4114
GRF 200511	Auxiliary Services	\$	144,254,342	\$	149,909,112	4115
GRF 200532	Nonpublic Administrative Cost Reimbursement	\$	65,165,374	\$	67,719,856	4116
GRF 200540	Special Education Enhancements	\$	162,871,292	\$	162,871,292	4117
GRF 200545	Career-Technical Education Enhancements	\$	11,922,418	\$	11,947,418	4118
GRF 200550	Foundation Funding	\$	6,398,844,920	\$	6,655,755,799	4119
GRF 200566	Literacy Improvement	\$	750,000	\$	750,000	4120
GRF 200572	Adult Diploma	\$	3,750,000	\$	5,000,000	4121
GRF 200573	EdChoice Expansion	\$	23,500,000	\$	31,500,000	4122
GRF 200574	Half-Mill Maintenance Equalization	\$	18,750,000	\$	19,250,000	4123
GRF 200576	Adaptive Sports Program	\$	50,000	\$	50,000	4124
GRF 200588	Competency Based Education Pilot	\$	1,000,000	\$	1,000,000	4125
GRF 200597	Education Program Support	\$	2,250,000 <u>2,750,000</u>	\$	2,000,000 <u>2,500,000</u>	4126
TOTAL GRF	General Revenue Fund	\$	7,605,232,635 <u>7,605,732,635</u>	\$	7,925,458,867 <u>7,925,958,867</u>	4127
Dedicated Purpose Fund Group						4128
4520 200638	Fees and Refunds	\$	1,000,000	\$	1,000,000	4129
4540 200610	GED Testing	\$	250,000	\$	250,000	4130

4550	200608	Commodity Foods	\$	24,000,000	\$	24,000,000	4131
4L20	200681	Teacher Certification and Licensure	\$	14,150,000	\$	14,250,000	4132
5980	200659	Auxiliary Services Reimbursement	\$	1,328,910	\$	1,328,910	4133
5H30	200687	School District Solvency Assistance	\$	10,000,000	\$	10,000,000	4134
5KX0	200691	Ohio School Sponsorship Program	\$	487,419	\$	528,600	4135
5MM0	200677	Child Nutrition Refunds	\$	550,000	\$	550,000	4136
5RB0	200644	Straight A Fund	\$	27,250,000	\$	15,000,000	4137
5RE0	200697	School District TPP Supplement	\$	50,600,000 <u>56,500,000</u>	\$	<u>44,000,000</u>	4138
5U20	200685	National Education Statistics	\$	300,000	\$	300,000	4139
6200	200615	Educational Improvement Grants	\$	175,000	\$	175,000	4140
TOTAL DPF Group		Dedicated Purpose Fund	\$	130,091,329 <u>135,991,329</u>	\$	145,682,510 <u>111,382,510</u>	4141
Internal Service Activity Fund Group							4142
1380	200606	Information Technology Development and Support	\$	6,850,090	\$	6,850,090	4143
4R70	200695	Indirect Operational Support	\$	7,600,000	\$	7,600,000	4144
4V70	200633	Interagency Program Support	\$	500,000	\$	500,000	4145
TOTAL ISA Fund Group		Internal Service Activity	\$	14,950,090	\$	14,950,090	4146 4147
State Lottery Fund Group							4148

7017	200612	Foundation Funding	\$	987,650,000	\$	1,042,700,000	4149
7017	200629	Community Connectors	\$	10,000,000	\$	10,000,000	4150
7017	200684	Community School	\$	14,900,000	\$	20,700,000	4151
		Facilities					
		TOTAL SLF State Lottery					4152
		Fund Group	\$	1,012,550,000	\$	1,073,400,000	4153
		Federal Fund Group					4154
3090	200601	Neglected and	\$	1,600,000	\$	1,600,000	4155
		Delinquent Education					
3670	200607	School Food Services	\$	9,240,111	\$	9,794,517	4156
3700	200624	Education of	\$	1,702,040	\$	1,274,040	4157
		Exceptional Children					
3AF0	200603	Schools Medicaid	\$	750,000	\$	750,000	4158
		Administrative Claims					
3AN0	200671	School Improvement	\$	32,400,000	\$	32,400,000	4159
		Grants					
3C50	200661	Early Childhood	\$	14,554,749	\$	14,554,749	4160
		Education					
3CG0	200646	Teacher Incentive	\$	12,500,000	\$	200,000	4161
3D10	200664	Drug Free Schools	\$	521,000	\$	282,000	4162
3D20	200667	Math Science	\$	7,500,000	\$	7,500,000	4163
		Partnerships					
3EH0	200620	Migrant Education	\$	2,900,000	\$	2,900,000	4164
3EJ0	200622	Homeless Children	\$	2,600,000	\$	2,600,000	4165
		Education					
3EK0	200637	Advanced Placement	\$	432,444	\$	498,484	4166
3FD0	200665	Race to the Top	\$	12,000,000	\$	0	4167
3FN0	200672	Early Learning	\$	8,000,000	\$	3,400,000	4168
		Challenge - Race to					
		the Top					
3GE0	200674	Summer Food Service	\$	14,423,915	\$	14,856,635	4169
		Program					
3GF0	200675	Miscellaneous	\$	3,000,000	\$	3,000,000	4170

		Nutrition Grants				
3GG0	200676	Fresh Fruit and Vegetable Program	\$	5,026,545	\$	5,177,340 4171
3GP0	200600	School Climate Transformation	\$	252,420	\$	252,420 4172
3GQ0	200679	Project Aware	\$	1,907,423	\$	1,907,423 4173
3H90	200605	Head Start Collaboration Project	\$	225,000	\$	225,000 4174
3L60	200617	Federal School Lunch	\$	371,960,060	\$	383,118,860 4175
3L70	200618	Federal School Breakfast	\$	117,332,605	\$	122,025,909 4176
3L80	200619	Child/Adult Food Programs	\$	113,508,500	\$	116,913,755 4177
3L90	200621	Career-Technical Education Basic Grant	\$	44,663,900	\$	44,663,900 4178
3M00	200623	ESEA Title 1A	\$	590,000,000	\$	600,000,000 4179
3M20	200680	Individuals with Disabilities Education Act	\$	444,000,000	\$	445,000,000 4180
3Y20	200688	21st Century Community Learning Centers	\$	50,000,000	\$	50,000,000 4181
3Y60	200635	Improving Teacher Quality	\$	90,000,000	\$	90,000,000 4182
3Y70	200689	English Language Acquisition	\$	10,101,411	\$	10,101,411 4183
3Y80	200639	Rural and Low Income Technical Assistance	\$	3,300,000	\$	3,300,000 4184
3Z20	200690	State Assessments	\$	10,263,000	\$	10,263,000 4185
3Z30	200645	Consolidated Federal Grant Administration	\$	10,000,000	\$	10,000,000 4186
TOTAL FED	Federal Fund Group		\$	1,986,665,123	\$	1,988,559,443 4187
TOTAL ALL BUDGET FUND GROUPS			\$	10,749,489,177	\$	11,148,050,910 4188

10,755,889,177 11,114,250,910

Sec. 263.280. COMPETENCY-BASED EDUCATION PILOT 4190

The foregoing appropriation item 200588, Competency-Based Education Pilot, shall be used by the Department of Education to fund competency-based education pilot programs in up to five districts, schools, or consortia of districts and schools led by educational service centers. The Department shall award each district, school, or consortium of districts and schools led by educational service centers that is selected to participate in the program a grant of up to \$200,000 for each fiscal year. The grant shall be used during the 2015-2016 and 2016-2017 school years to plan for implementing competency-based education in the district, school, or consortium of districts and schools led by educational service centers during the 2016-2017, 2017-2018, and 2018-2019 school years. Pilot programs shall adhere to program guidelines as outlined in Section 733.30 of this act.

Of the foregoing appropriation item 200588, Competency-Based Education Pilot, a portion may be used by the Superintendent of Public Instruction to provide technical assistance and to administer the program.

EDUCATION PROGRAM SUPPORT 4209

Of the foregoing appropriation item 200597, Education Program Support, \$2,000,000 in each fiscal year shall be distributed to Teach For America to increase recruitment of potential corps members at select Ohio universities, train and develop first-year and second-year teachers in the Teach for America program in Ohio, and expand alumni support and networking within the state.

Of the foregoing appropriation item 200597, Education Program Support, \$500,000 in each fiscal year shall be used to support the Supporting Partnerships to Assure Ready Kids (SPARK) program in Ohio.

Of the foregoing appropriation item 200597, Education Program 4220
Support, \$250,000 in fiscal year 2016 shall be distributed to 4221
Artsin Stark to support the SmArts Program and the Genius Project. 4222

Sec. 337.10. DNR DEPARTMENT OF NATURAL RESOURCES 4223

General Revenue Fund 4224

GRF 725401 Division of \$ 1,800,000 \$ 1,800,000 4225
Wildlife-Operating
Subsidy

GRF 725413 Parks and Recreational \$ 23,239,600 \$ 24,655,600 4226
Facilities Lease
Rental Bond Payments

GRF 725456 Canal Lands \$ 135,000 \$ 135,000 4227

GRF 725502 Soil and Water \$ 3,250,000 \$ 0 4228
Districts

GRF 725505 Healthy Lake Erie \$ 1,000,000 \$ 1,000,000 4229
Program

GRF 725507 Coal and Mine Safety \$ 2,600,000 \$ 2,700,000 4230
Program

GRF 725510 Indian Lake Watershed \$ 125,000 \$ 0 4231
Project

GRF 725512 Portage County \$ 150,000 \$ 150,000 4232
Stormwater

GRF 725903 Natural Resources \$ 27,079,900 \$ 26,074,400 4233
General Obligation
Bond Debt Service

GRF 727321 Division of Forestry \$ 4,467,001 \$ 4,542,001 4234

GRF 729321 Office of Information \$ 177,405 \$ 177,405 4235
Technology

GRF 730321 Division of Parks and \$ 30,000,000 \$ 30,000,000 4236
Recreation

GRF 736321 Division of \$ 2,324,736 \$ 2,324,736 4237

		Engineering				
GRF	737321	Division of Soil and Water Resources	\$	2,899,952	\$	1,013,652 4238
GRF	738321	Division of Real Estate and Land Management	\$	670,342	\$	670,342 4239
GRF	741321	Division of Natural Areas and Preserves	\$	1,200,000	\$	1,200,000 4240
TOTAL GRF	General Revenue Fund		\$	100,993,936	\$	96,443,136 4241
				<u>101,118,936</u>		4242
		Dedicated Purpose Fund Group				4243
2270	725406	Parks Projects Personnel	\$	685,098	\$	696,995 4244
4300	725671	Canal Lands	\$	883,879	\$	883,879 4245
4J20	725628	Injection Well Review	\$	128,466	\$	128,466 4246
4M70	725686	Wildfire Suppression	\$	100,000	\$	100,000 4247
4S90	725622	NatureWorks Personnel	\$	818,618	\$	833,076 4248
4U60	725668	Scenic Rivers Protection	\$	100,000	\$	100,000 4249
5090	725602	State Forest	\$	6,879,410	\$	6,880,148 4250
5110	725646	Ohio Geological Mapping	\$	1,400,000	\$	1,800,000 4251
5120	725605	State Parks Operations	\$	31,471,044	\$	31,471,044 4252
5140	725606	Lake Erie Shoreline	\$	1,559,583	\$	1,559,583 4253
5160	725620	Water Management	\$	2,559,291	\$	2,559,291 4254
5180	725643	Oil and Gas Regulation and Safety	\$	19,193,271	\$	19,444,876 4255
5180	725677	Oil and Gas Well Plugging	\$	3,000,000	\$	3,000,000 4256
5210	725627	Off-Road Vehicle Trails	\$	143,490	\$	143,490 4257
5220	725656	Natural Areas and Preserves	\$	546,639	\$	546,639 4258

5260	725610	Strip Mining Administration Fee	\$	2,977,956	\$	2,977,955	4259
5270	725637	Surface Mining Administration	\$	1,681,153	\$	1,681,154	4260
5290	725639	Unreclaimed Lands	\$	1,804,180	\$	1,804,180	4261
5310	725648	Reclamation Forfeiture	\$	500,000	\$	500,000	4262
5B30	725674	Mining Regulation	\$	28,135	\$	28,135	4263
5BV0	725658	Heidelberg Water Quality Lab	\$	125,000	\$	0	4264
5BV0	725683	Soil and Water Districts	\$	4,000,000	\$	0	4265
5EL0	725612	Wildlife Law Enforcement	\$	12,000	\$	12,000	4266
5EM0	725613	Park Law Enforcement	\$	34,000	\$	34,000	4267
5EN0	725614	Watercraft Law Enforcement	\$	7,500	\$	7,500	4268
5HK0	725625	Ohio Nature Preserves	\$	1,000	\$	1,000	4269
5MF0	725635	Ohio Geology License Plate	\$	2,520	\$	2,520	4270
5MW0	725604	Natural Resources Special Purposes	\$	6,000,000	\$	6,000,000	4271
5P20	725634	Wildlife Boater Angler Administration	\$	3,000,000	\$	3,000,000	4272
5SA1	725609	Mentor Stormwater Project	\$	350,000	\$	0	4273
6150	725661	Dam Safety	\$	943,517	\$	943,517	4274
6970	725670	Submerged Lands	\$	869,145	\$	869,145	4275
7015	740401	Division of Wildlife Conservation	\$	56,325,976	\$	59,997,307	4276
7086	725414	Waterways Improvement	\$	6,193,671	\$	6,193,671	4277
7086	725418	Buoy Placement	\$	60,000	\$	60,000	4278
7086	725501	Waterway Safety Grants	\$	120,000	\$	120,000	4279
7086	725506	Watercraft Marine	\$	576,153	\$	576,153	4280

		Patrol					
7086	725513	Watercraft Educational	\$	400,000	\$	400,000	4281
		Grants					
7086	739401	Division of Watercraft	\$	21,271,870	\$	21,071,870	4282
8150	725636	Cooperative Management	\$	649,000	\$	456,000	4283
		Projects					
8160	725649	Wetlands Habitat	\$	966,885	\$	966,885	4284
8170	725655	Wildlife Conservation	\$	2,000,000	\$	2,000,000	4285
		Checkoff					
8180	725629	Cooperative Fisheries	\$	1,500,000	\$	1,500,000	4286
		Research					
8190	725685	Ohio River Management	\$	203,584	\$	203,584	4287
81B0	725688	Wildlife Habitats	\$	1,200,000	\$	1,200,000	4288
TOTAL	DPF	Dedicated Purpose Fund	\$	183,272,034	\$	182,754,063	4289
		Group					
		Internal Service Activity Fund Group					4290
1550	725601	Departmental Projects	\$	2,444,457	\$	1,805,807	4291
1570	725651	Central Support	\$	5,176,611	\$	5,351,233	4292
		Indirect					
2040	725687	Information Services	\$	5,633,426	\$	5,633,426	4293
2050	725696	Human Resource Direct	\$	2,634,135	\$	2,696,052	4294
		Service					
2070	725690	Real Estate Services	\$	34,291	\$	34,834	4295
2230	725665	Law Enforcement	\$	2,553,054	\$	2,609,277	4296
		Administration					
4X80	725662	Water Resources	\$	138,005	\$	138,005	4297
		Council					
5100	725631	Maintenance -	\$	249,611	\$	249,611	4298
		State-owned					
		Residences					
6350	725664	Fountain Square	\$	3,457,486	\$	3,469,467	4299
		Facilities Management					
TOTAL	ISA	Internal Service Activity					4300

Fund Group	\$	22,321,076	\$	21,987,712	4301
Capital Projects Fund Group					4302
7061 725405 Clean Ohio Trail	\$	300,775	\$	300,775	4303
Operating					
TOTAL CPF Capital Projects Fund	\$	300,775	\$	300,775	4304
Group					
Fiduciary Fund Group					4305
4M80 725675 FOP Contract	\$	20,219	\$	20,219	4306
TOTAL FID Fiduciary Fund Group	\$	20,219	\$	20,219	4307
Holding Account Fund Group					4308
R017 725659 Performance Cash Bond	\$	528,993	\$	528,993	4309
Refunds					
R043 725624 Forestry	\$	2,100,000	\$	2,100,000	4310
TOTAL HLD Holding Account					4311
Fund Group	\$	2,628,993	\$	2,628,993	4312
Federal Fund Group					4313
3320 725669 Federal Mine Safety	\$	265,000	\$	265,000	4314
Grant					
3B30 725640 Federal Forest	\$	500,000	\$	500,000	4315
Pass-Thru					
3B40 725641 Federal Flood	\$	500,000	\$	500,000	4316
Pass-Thru					
3B50 725645 Federal Abandoned	\$	11,851,759	\$	11,851,759	4317
Mine Lands					
3B60 725653 Federal Land and	\$	950,000	\$	950,000	4318
Water Conservation					
Grants					
3B70 725654 Reclamation -	\$	2,977,956	\$	2,977,955	4319
Regulatory					
3P10 725632 Geological Survey -	\$	160,000	\$	160,000	4320
Federal					
3P20 725642 Oil and Gas - Federal	\$	234,509	\$	234,509	4321

3P30	725650	Coastal Management - Federal	\$	1,746,000	\$	1,746,000	4322
3P40	725660	Federal - Soil and Water Resources	\$	4,165,738	\$	1,195,738	4323
3R50	725673	Acid Mine Drainage Abatement/Treatment	\$	4,342,280	\$	4,342,280	4324
3Z50	725657	Federal Recreation and Trails	\$	1,600,000	\$	1,600,000	4325
TOTAL FED	Federal Fund Group		\$	29,293,242	\$	26,323,241	4326
TOTAL ALL BUDGET FUND GROUPS			\$	338,830,275	\$	330,458,139	4327
				<u>338,955,275</u>			4328

Sec. 337.30. PARKS AND RECREATIONAL FACILITIES LEASE RENTAL 4330
BOND PAYMENTS 4331

The foregoing appropriation item 725413, Parks and 4332
Recreational Facilities Lease Rental Bond Payments, shall be used 4333
to meet all payments during the period from July 1, 2015, through 4334
June 30, 2017, by the Department of Natural Resources pursuant to 4335
leases and agreements made under section 154.22 of the Revised 4336
Code. These appropriations are the source of funds pledged for 4337
bond service charges on related obligations issued under Chapter 4338
154. of the Revised Code. 4339

CANAL LANDS 4340

The foregoing appropriation item 725456, Canal Lands, shall 4341
be used to provide operating expenses for the State Canal Lands 4342
Program. 4343

SOIL AND WATER CONSERVATION DISTRICTS 4344

Of the foregoing appropriation item 725502, Soil and Water 4345
Conservation Districts, \$350,000 in fiscal year 2016 shall be used 4346
by the Chief of the Division of Soil and Water Resources for a 4347
program to support soil and water conservation districts in the 4348
Western Lake Erie Basin comply with provisions of Sub. S.B. 1 of 4349

the 131st General Assembly. The Chief shall approve a soil and 4350
water district's application for funding under the program if the 4351
application demonstrates that funding will be used for, but not 4352
limited to, providing technical assistance, developing applicable 4353
nutrient or manure management plans, hiring and training of soil 4354
and water conservation district staff on best conservation 4355
practices, or other activities the Chief determines is appropriate 4356
to assist farmers in the Western Lake Erie Basin in complying with 4357
the provisions of Sub. S.B. 1 of the 131st General Assembly. 4358

HEALTHY LAKE ERIE PROGRAM 4359

The foregoing appropriation item 725505, Healthy Lake Erie 4360
Program, shall be used by the Director of Natural Resources, in 4361
support of (1) conservation measures in the Western Lake Erie 4362
Basin as determined by the Director; (2) funding assistance for 4363
soil testing, winter cover crops, edge of field testing, tributary 4364
monitoring, animal waste abatement; and (3) any additional efforts 4365
to reduce nutrient runoff as the Director may decide. The Director 4366
shall give priority to recommendations that encourage farmers to 4367
adopt agricultural production guidelines commonly known as 4R 4368
nutrient stewardship practices. 4369

COAL AND MINE SAFETY PROGRAM 4370

The foregoing appropriation item 725507, Coal and Mine Safety 4371
Program, shall be used for the administration of the Mine Safety 4372
Program and the Coal Regulation Program. 4373

INDIAN LAKE WATERSHED PROJECT 4374

The foregoing appropriation item 725510, Indian Lake 4375
Watershed Project, shall be used to support the administrative 4376
expenses of Indian Lake Watershed Project, Inc. 4377

PORTAGE COUNTY STORMWATER 4378

The foregoing appropriation item 725512, Portage County 4379

Stormwater, shall be used by the Director of Natural Resources to 4380
support the Portage County stormwater project. 4381

TRANSFER OF FUNDS FOR MINERAL RESOURCES MANAGEMENT 4382

During fiscal years 2016 and 2017, the Director of Budget and 4383
Management may, at the request of the Director of Natural 4384
Resources, following the identification of available balances by 4385
the Director of Natural Resources in the Unreclaimed Land Fund 4386
(Fund 5290), transfer up to \$500,000 per year from Fund 5290 to 4387
the Coal Mining Administration and Reclamation Reserve Fund (Fund 4388
5260) created in section 1513.181 of the Revised Code. The cash 4389
transfer to Fund 5260 shall be used to operate the Coal Regulatory 4390
Program. 4391

During fiscal years 2016 and 2017, the Director of Budget and 4392
Management may, at the request of the Director of Natural 4393
Resources, following the identification of available balances by 4394
the Director of Natural Resources in Fund 5290, transfer up to 4395
\$800,000 per year from Fund 5290 to the Surface Mining Fund (Fund 4396
5270) created in section 1514.06 of the Revised Code. The cash 4397
transfer to Fund 5270 shall be used to operate the industrial 4398
minerals and Ohio mine safety and training programs. 4399

NATURAL RESOURCES GENERAL OBLIGATION BOND DEBT SERVICE 4400

The foregoing appropriation item 725903, Natural Resources 4401
General Obligation Bond Debt Service, shall be used to pay all 4402
debt service and related financing costs during the period July 1, 4403
2015, through June 30, 2017, on obligations issued under sections 4404
151.01 and 151.05 of the Revised Code. 4405

Sec. 369.10. BOR DEPARTMENT OF HIGHER EDUCATION 4406

General Revenue Fund 4407

GRF 235321 Operating Expenses \$ 5,377,193 \$ 5,377,193 4408

GRF 235402 Sea Grants \$ 299,250 \$ 299,250 4409

GRF 235406	Articulation and Transfer	\$	2,000,000	\$	2,000,000	4410
GRF 235408	Midwest Higher Education Compact	\$	115,000	\$	115,000	4411
GRF 235414	State Grants and Scholarship Administration	\$	830,180	\$	830,180	4412
GRF 235417	eStudent Services	\$	2,532,688	\$	2,532,688	4413
GRF 235428	Appalachian New Economy Partnership	\$	1,500,000	\$	1,500,000	4414
GRF 235438	Choose Ohio First Scholarship	\$	16,665,114	\$	16,665,114	4415
GRF 235443	Adult Basic and Literacy Education - State	\$	7,402,416	\$	7,372,416	4416
GRF 235444	Ohio Technical Centers	\$	16,817,547	\$	16,817,547	4417
GRF 235474	Area Health Education Centers Program Support	\$	900,000	\$	900,000	4418
GRF 235483	Technology Integration and Professional Development	\$	378,598	\$	378,598	4419
GRF 235492	Campus Safety and Training	\$	2,000,000	\$	0	4420
GRF 235501	State Share of Instruction	\$	1,903,285,144	\$	1,979,416,550	4421
GRF 235502	Student Support Services	\$	632,974	\$	632,974	4422
GRF 235504	War Orphans Scholarships	\$	6,835,710	\$	7,124,141	4423
GRF 235507	OhioLINK	\$	6,211,012	\$	6,211,012	4424
GRF 235508	Air Force Institute of Technology	\$	1,740,803	\$	1,740,803	4425

GRF 235510	Ohio Supercomputer Center	\$	5,818,900	\$	5,818,900	4426
GRF 235511	Cooperative Extension Service	\$	24,209,491	\$	24,209,491	4427
GRF 235514	Central State Supplement	\$	11,063,468	\$	11,063,468	4428
GRF 235515	Case Western Reserve University School of Medicine	\$	2,146,253	\$	2,146,253	4429
GRF 235519	Family Practice	\$	3,166,185	\$	3,166,185	4430
GRF 235520	Shawnee State Supplement	\$	2,326,097	\$	2,326,097	4431
GRF 235524	Police and Fire Protection	\$	107,814	\$	107,814	4432
GRF 235525	Geriatric Medicine	\$	522,151	\$	522,151	4433
GRF 235526	Primary Care Residencies	\$	1,500,000	\$	1,500,000	4434
GRF 235533	Higher Education Program Support	\$	600,000 <u>820,000</u>	\$	600,000	4435
GRF 235535	Ohio Agricultural Research and Development Center	\$	36,861,470	\$	36,361,470	4436
GRF 235536	The Ohio State University Clinical Teaching	\$	9,668,941	\$	9,668,941	4437
GRF 235537	University of Cincinnati Clinical Teaching	\$	7,952,573	\$	7,952,573	4438
GRF 235538	University of Toledo Clinical Teaching	\$	6,198,600	\$	6,198,600	4439
GRF 235539	Wright State University Clinical Teaching	\$	3,011,400	\$	3,011,400	4440

GRF 235540	Ohio University Clinical Teaching	\$ 2,911,212	\$ 2,911,212	4441
GRF 235541	Northeast Ohio Medical University Clinical Teaching	\$ 2,994,178	\$ 2,994,178	4442
GRF 235546	Central State Agricultural Research and Development	\$ 1,850,000	\$ 1,850,000	4443
GRF 235548	Central State Cooperative Extension Services	\$ 350,000	\$ 350,000	4444
GRF 235552	Capital Component	\$ 10,280,387	\$ 6,350,817	4445
GRF 235555	Library Depositories	\$ 1,440,342	\$ 1,440,342	4446
GRF 235556	Ohio Academic Resources Network	\$ 3,172,519	\$ 3,172,519	4447
GRF 235558	Long-term Care Research	\$ 325,300	\$ 325,300	4448
GRF 235559	Central State University - Agriculture Education	\$ 300,000	\$ 300,000	4449
GRF 235563	Ohio College Opportunity Grant	\$ 97,187,107	\$ 100,187,107	4450
GRF 235572	The Ohio State University Clinic Support	\$ 766,533	\$ 766,533	4451
GRF 235591	Co-op Internship Program	\$ 3,770,000 <u>3,520,000</u>	\$ 3,770,000 <u>3,520,000</u>	4452
GRF 235599	National Guard Scholarship Program	\$ 18,750,552	\$ 18,900,003	4453
GRF 235909	Higher Education General Obligation Bond Debt Service	\$ 252,470,800	\$ 259,289,500	4454
TOTAL GRF	General Revenue Fund	\$ 2,487,245,902	\$ 2,567,174,320	4455

		<u>2,487,215,902</u>		<u>2,566,924,320</u>		
Dedicated Purpose Fund Group						4456
2200	235614	Program Approval and Reauthorization	\$ 650,000	\$ 650,000		4457
4560	235603	Sales and Services	\$ 199,250	\$ 199,250		4458
4E80	235602	Higher Educational Facility Commission Administration	\$ 29,100	\$ 29,100		4459
4X10	235674	Telecommunity and Distance Learning	\$ 49,150	\$ 49,150		4460
5D40	235675	Conferences/Special Purposes	\$ 1,884,095	\$ 1,884,095		4461
5JC0	235620	Regional Partnership and Training Center	\$ 500,000	\$ 500,000		4462
5JC0	235668	Defense/Aerospace Workforce Development Initiative	\$ 10,000,000	\$ 10,000,000		4463
5NH0	235684	OhioMeansJobs Workforce Development Revolving Loan Program	\$ 500,000	\$ 0		4464
5P30	235663	Variable Savings Plan	\$ 8,028,685	\$ 8,082,899		4465
5RA0	235616	Workforce and Higher Education Programs	\$ 10,750,000	\$ 16,500,000		4466
5RA0	235673	NCERCMP	\$ 2,000,000	\$ 2,000,000		4467
6450	235664	Guaranteed Savings Plan	\$ 1,068,048	\$ 1,061,886		4468
6820	235606	Nursing Loan Program	\$ 891,320	\$ 891,320		4469
TOTAL DPF Dedicated Purpose Fund Group			\$ 36,549,648	\$ 41,847,700		4470
Bond Research and Development Fund Group						4471
7011	235634	Research Incentive	\$ 8,000,000	\$ 8,000,000		4472

Third Frontier Fund					
TOTAL BRD Bond Research and	\$	8,000,000	\$ 8,000,000	4473	
Development Fund Group					
Federal Fund Group				4474	
3120 235611	Gear-up Grant	\$	3,050,600	\$ 3,169,050	4475
3120 235612	Carl D. Perkins	\$	1,350,000	\$ 1,350,000	4476
Grant/Plan					
Administration					
3120 235617	Improving Teacher	\$	2,800,000	\$ 2,800,000	4477
Quality Grant					
3120 235641	Adult Basic and	\$	15,207,359	\$ 15,207,359	4478
Literacy Education -					
Federal					
3120 235672	H-1B Tech Skills	\$	2,100,000	\$ 2,100,000	4479
Training					
3H20 235608	Human Services	\$	375,000	\$ 375,000	4480
Project					
TOTAL FED Federal Fund Group	\$	24,882,959	\$ 25,001,409	4481	
TOTAL ALL BUDGET FUND GROUPS	\$	2,556,678,509	\$ 2,642,023,429	4482	
		<u>2,556,648,509</u>	<u>2,641,773,429</u>		

Sec. 369.314. HIGHER EDUCATION PROGRAM SUPPORT 4484

Of the foregoing appropriation item 235533, Higher Education 4485
 Program Support, \$250,000 in each fiscal year shall be used by The 4486
 Ohio State University to support its hosting of the annual Special 4487
 Olympics Ohio Summer Games. 4488

Of the foregoing appropriation item 235533, Higher Education 4489
 Program Support, \$100,000 in each fiscal year shall be used to 4490
 support program development and equipment purchase expenses for 4491
 the Cores + Connections program at the Cleveland Institute of Art. 4492

Of the foregoing appropriation item 235533, Higher Education 4493
 Program Support, \$100,000 in each fiscal year shall be used by 4494

Eastern Gateway Community College to establish and provide 4495
scholarships under the Energy Sector Scholarship Pilot Program. 4496
The program shall seek to incentivize and connect high school 4497
students with scholarship opportunities to pursue careers in the 4498
oil and gas industry in Ohio. Staff from Eastern Gateway Community 4499
College shall provide administration, outreach, and marketing for 4500
the program. 4501

Of the foregoing appropriation item 235533, Higher Education 4502
Program Support, \$75,000 in each fiscal year shall be distributed 4503
to the Ohio University Leadership Project. 4504

Of the foregoing appropriation item 235533, Higher Education 4505
Program Support, \$75,000 in each fiscal year shall be used to 4506
establish the Customized Employee Recruitment Workforce Program at 4507
Sinclair Community College. 4508

Of the foregoing appropriation item 235533, Higher Education 4509
Program Support, \$220,000 in fiscal year 2016 shall be used by 4510
Wright State University for security upgrades necessary for 4511
hosting the presidential debate in the fall of 2016. 4512

Sec. 369.393. CO-OP INTERNSHIP PROGRAM 4513

Of the foregoing appropriation item 235591, Co-op Internship 4514
Program, \$75,000 in each fiscal year shall be used to support the 4515
operations of Ohio University's Voinovich School of Leadership and 4516
Public Affairs. 4517

Of the foregoing appropriation item 235591, Co-op Internship 4518
Program, \$75,000 in each fiscal year, shall be used to support the 4519
operations of The Ohio State University's John Glenn College of 4520
Public Affairs. 4521

Of the foregoing appropriation item 235591, Co-op Internship 4522
Program, \$75,000 in each fiscal year shall be used to support the 4523
Bliss Institute of Applied Politics at the University of Akron. 4524

Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Center for Public Management and Regional Affairs at Miami University.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$245,000 in each fiscal year shall be used to support students who attend institutions of higher education in Ohio and are participating in the Washington Center Internship Program.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Ohio Center for the Advancement of Women in Public Service at the Maxine Goodman Levin College of Urban Affairs at Cleveland State University.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the University of Cincinnati Internship Program.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the operations of the Center for Regional Development at Bowling Green State University.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$500,000 in each fiscal year shall be used to support the operations of the Wright State Public Policy Institute at Wright State University.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Kent State University Columbus Program.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the University of Toledo Jack Ford Urban Affairs Center.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$10,000 in each fiscal year shall be provided to the Ohio College Access Network to support the Ohio Student Education Policy Institute.

Of the foregoing appropriation item 235591, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Center for Urban and Regional Studies at Youngstown State University.

~~Of the foregoing appropriation item 235591, Co-op Internship Program, \$250,000 shall be used to establish and support the Wright State Policy Institute at Wright State University and the Workforce Immersion Program at the Wright State Policy Institute. The Wright State Policy Institute shall offer a premier leadership development program designed to identify, educate, and motivate a network of future community leaders and critical workforce as well as increase their capacity to serve their community, state, and country while preparing to enter public service or for in-demand jobs in Ohio. The Workforce Immersion Program shall provide an intensive learning and pre professional experience in four tracks: local government, state government, federal government, and in-demand jobs as identified by OhioMeansJobs. It shall increase the number of students pursuing careers in public services and in-demand occupations and encourage them to remain in Ohio for their employment.~~

Of the foregoing appropriation item 235591, Co-op Internship Program, \$200,000 in each fiscal year shall be allocated to support the Museum of Contemporary Art Cleveland Fellowship Program in collaboration with Cleveland State University.

Of the foregoing appropriation item 235591, Co-Op Internship Program, \$100,000 in each fiscal year shall be used to support the Children's Museum of Cleveland Fellowship Program in collaboration with Cleveland State University.

Sec. 369.470. OHIO MEANS JOBS WORKFORCE DEVELOPMENT REVOLVING 4587
LOAN PROGRAM 4588

The foregoing appropriation item 235684, OhioMeansJobs 4589
Workforce Development Revolving Loan Program, shall be used for 4590
the OhioMeansJobs Workforce Development Revolving Loan Program to 4591
provide loans to individuals for workforce training. 4592

Of the foregoing appropriation item 235684, OhioMeansJobs 4593
Workforce Development Revolving Loan Program, up to \$250,000 in 4594
fiscal year 2016 may be used by the Chancellor of Higher Education 4595
to administer the program. 4596

~~An amount equal to the unexpended, unencumbered portion of 4597
the foregoing appropriation item 235684, OhioMeansJobs Workforce 4598
Development Revolving Loan Program, at the end of fiscal year 2015 4599
is hereby reappropriated to the Treasurer of State appropriation 4600
item, 090610, OhioMeansJobs Workforce Development Revolving Loan 4601
Program, for the same purpose for fiscal year 2016. 4602~~

Any unexpended and unencumbered portion of the foregoing 4603
appropriation item 235684, OhioMeansJobs Workforce Development 4604
Revolving Loan Program, at the end of fiscal year 2016 is hereby 4605
reappropriated for the same purpose in fiscal year 2017. To the 4606
extent that reappropriated funds are available, of the foregoing 4607
appropriation item 235684, OhioMeansJobs Workforce Development 4608
Revolving Loan Program, up to \$250,000 in fiscal year 2017 may be 4609
used by the Chancellor of Higher Education to administer the 4610
program. 4611

Sec. 371.10. DRC DEPARTMENT OF REHABILITATION AND CORRECTION 4612
General Revenue Fund 4613
GRF 501321 Institutional \$ ~~950,215,085~~ \$ 975,215,085 4614
Operations 955,095,937
GRF 501405 Halfway House \$ 54,369,687 \$ 56,541,437 4615

GRF 501406	Adult Correctional Facilities Lease Rental Bond Payments	\$ 82,595,700 <u>76,255,700</u>	\$ 79,702,800	4616
GRF 501407	Community Nonresidential Programs	\$ 51,477,390	\$ 53,365,890	4617
GRF 501408	Community Misdemeanor Programs	\$ 14,356,800	\$ 14,356,800	4618
GRF 501501	Community Residential Programs - CBCF	\$ 74,491,705	\$ 78,329,955	4619
GRF 501503	Residential Grant Program	\$ 100,000	\$ 100,000	4620
GRF 503321	Parole and Community Operations	\$ 73,346,119	\$ 75,149,295	4621
GRF 504321	Administrative Operations	\$ 21,475,332	\$ 21,999,343	4622
GRF 505321	Institution Medical Services	\$ 240,000,000 <u>241,459,148</u>	\$ 249,000,000	4623
GRF 506321	Institution Education Services	\$ 24,586,681	\$ 30,454,204	4624
TOTAL GRF	General Revenue Fund	\$ 1,587,014,499	\$ 1,634,214,809	4625
Dedicated Purpose Fund Group				4626
4B00 501601	Sewer Treatment Services	\$ 2,393,506	\$ 2,420,848	4627
4D40 501603	Prisoner Programs	\$ 5,490,000	\$ 500,000	4628
4L40 501604	Transitional Control	\$ 700,000	\$ 700,000	4629
4S50 501608	Education Services	\$ 3,432,164	\$ 3,490,471	4630
5AF0 501609	State and Non-Federal Awards	\$ 2,000,000	\$ 2,000,000	4631
5H80 501617	Offender Financial Responsibility	\$ 2,000,000	\$ 2,000,000	4632
TOTAL DPF	Dedicated Purpose Fund Group	\$ 16,015,670	\$ 11,111,319	4633

Internal Service Activity Fund Group					4634
1480 501602 Institutional	\$	3,139,577	\$	3,139,577	4635
Services					
2000 501607 Ohio Penal Industries	\$	54,492,119	\$	54,925,441	4636
4830 501605 Leased Property	\$	467,844	\$	469,540	4637
Maintenance & Operating					
5710 501606 Corrections Training	\$	500,000	\$	500,000	4638
Maintenance & Operating					
5L60 501611 Information	\$	500,000	\$	500,000	4639
Technology Services					
TOTAL ISA Internal Activity					4640
Fund Group	\$	59,099,540	\$	59,534,558	4641
Federal Fund Group					4642
3230 501619 Federal Grants	\$	4,200,000	\$	4,200,000	4643
3CW0 501622 Federal Equitable	\$	400,000	\$	400,000	4644
Sharing					
TOTAL FED Federal					4645
Fund Group	\$	4,600,000	\$	4,600,000	4646
TOTAL ALL BUDGET FUND GROUPS	\$	1,666,729,709	\$	1,709,460,686	4647
ADULT CORRECTIONAL FACILITIES LEASE RENTAL BOND PAYMENTS					4648
The foregoing appropriation item 501406, Adult Correctional					4649
Facilities Lease Rental Bond Payments, shall be used to meet all					4650
payments during the period from July 1, 2015, through June 30,					4651
2017, by the Department of Rehabilitation and Correction under the					4652
primary leases and agreements for those buildings made under					4653
Chapters 152. and 154. of the Revised Code. These appropriations					4654
are the source of funds pledged for bond service charges on					4655
related obligations issued under Chapters 152. and 154. of the					4656
Revised Code.					4657
RESIDENTIAL GRANT PROGRAM					4658

The foregoing appropriation item 501503, Residential Grant Program, shall be used by the Department of Rehabilitation and Correction to conduct a one-year pilot program to award grants in support of community-based residential programs in several prisons. The Department shall establish guidelines, procedures, and forms by which applicants may apply for grants. These guidelines shall establish that grant eligibility is limited to faith-based character programs that have been in existence for five years or longer, that are not operated by the state of Ohio, and that have a demonstrated record of successful implementation of residential programs that have been shown to reduce violent behavior and disciplinary reports of inmate participants while in prison and significantly reduce recidivism among graduates once they reenter the outside community.

In administering the one-year pilot program, the Department shall establish a partnership with an Ohio university or college which would provide all necessary and appropriate statistical information concerning the implementation of the program. The Department shall submit a quarterly report containing that information to the Speaker of the House of Representatives and the President of the Senate.

OSU MEDICAL CHARGES

Notwithstanding section 341.192 of the Revised Code, at the request of the Department of Rehabilitation and Correction, The Ohio State University Medical Center, including the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute and the Richard M. Ross Heart Hospital, shall provide necessary care to persons who are confined in state adult correctional facilities. The provision of necessary inpatient care shall be billed to the Department or the Department of Medicaid at a rate not to exceed the authorized reimbursement rate for the same service established by the Department of Medicaid under the

Medicaid Program.				4691
Sec. 401.10.	TOS TREASURER OF STATE			4692
General Revenue Fund				4693
GRF 090321	Operating Expenses	\$ 7,743,553	\$ 7,743,553	4694
GRF 090401	Office of the Sinking Fund	\$ 502,304	\$ 502,304	4695
GRF 090402	Continuing Education	\$ 377,702	\$ 377,702	4696
GRF 090406	Treasury Management System Lease Rental Payments	\$ 1,117,400	\$ 1,116,800	4697
GRF 090524	Police and Fire Disability Pension Fund	\$ 5,000	\$ 5,000	4698
GRF 090534	Police and Fire Ad Hoc Cost of Living	\$ 55,000	\$ 55,000	4699
GRF 090554	Police and Fire Survivor Benefits	\$ 443,000	\$ 443,000	4700
GRF 090575	Police and Fire Death Benefits	\$ 20,000,000	\$ 20,000,000	4701
GRF 090613	ABLE Account Administration	\$ 2,000,000	\$ 2,000,000	4702
TOTAL GRF	General Revenue Fund	\$ 32,243,959	\$ 32,243,359	4703
Dedicated Purpose Fund Group				4704
4E90 090603	Securities Lending Income	\$ 5,200,000	\$ 5,200,000	4705
5770 090605	Investment Pool Reimbursement	\$ 1,050,000	\$ 1,050,000	4706
5C50 090602	County Treasurer Education	\$ 170,057	\$ 170,057	4707
5NH0 090610	OhioMeansJobs Workforce Development	\$ 17,000,000 <u>24,500,000</u>	\$ 0	4708

	Revolving Loan				
	Program				
6050 090609	Treasurer of State	\$	700,000	\$	700,000
	Administrative Fund				4709
TOTAL DPF Dedicated Purpose					4710
Fund Group		\$	24,120,057	\$	7,120,057
			<u>31,620,057</u>		4711
Fiduciary Fund Group					4712
4250 090635	Tax Refunds	\$	6,000,000	\$	6,000,000
TOTAL FID Fiduciary Fund Group		\$	6,000,000	\$	6,000,000
TOTAL ALL BUDGET FUND GROUPS		\$	62,364,016	\$	45,363,416
			<u>69,864,016</u>		4715

Sec. 701.120. (A) There is hereby established the Local Government Safety Capital Grant Program to be administered by the Local Government Innovation Council created in section 189.03 of the Revised Code. Under the program, the Council may award grants to political subdivisions to be used for the purchase of vehicles, equipment, facilities, or systems needed to enhance public safety. Applications shall be submitted to the Development Services Agency on a form specified by the Director of Development Services. The Agency shall provide the application to the Council for evaluation and selection. The Council shall award not more than one hundred thousand dollars in total grants to an individual political subdivision.

(B) Grants awarded under this section shall be made from the Local Government Safety Capital Fund, which is hereby created in the state treasury. The fund shall consist of money appropriated to it.

(C) As used in this section, "political subdivision" means a county, township, municipal corporation, joint emergency medical services district organized under section 307.052 of the Revised

Code, fire district organized under section 505.37 of the Revised 4736
Code, joint fire district organized under section 505.371 of the 4737
Revised Code, fire and ambulance district organized under section 4738
505.375 of the Revised Code, joint police district organized under 4739
section 505.482 of the Revised Code, and joint ambulance district 4740
organized under section 505.71 of the Revised Code. 4741

Section 610.11. That existing Sections 241.10, 259.10, 4742
259.40, 263.10, 263.280, 337.10, 337.30, 369.10, 369.314, 369.393, 4743
369.470, 371.10, 401.10, and 701.120 of Am. Sub. H.B. 64 of the 4744
131st General Assembly are hereby repealed. 4745

Section 610.20. That Section 263.325 of Am. Sub. H.B. 64 of 4746
the 131st General Assembly, as amended by Sub. S.B. 208 of the 4747
131st General Assembly, be amended to read as follows: 4748

Sec. 263.325. SCHOOL DISTRICT TPP SUPPLEMENT 4749

The foregoing appropriation item 200697, School District TPP 4750
Supplement, shall be distributed to city, local, and exempted 4751
village school districts for supplemental foundation aid as 4752
provided in this section. 4753

For each fiscal year, the Department of Education shall 4754
compute and pay supplemental foundation aid to each school 4755
district as follows: 4756

(A)(1) Calculate the school district's combined state aid for 4757
fiscal year 2015, which equals the sum of: 4758

(a) The district's state education aid for fiscal year 2015, 4759
as defined in division (A)(4)(a) of section 5709.92 of the Revised 4760
Code; and 4761

(b) The district's current expense allocation, as defined in 4762
division (A)(8) of section 5709.92 of the Revised Code. 4763

(2) Calculate the school district's combined state aid for 4764
fiscal year 2016, which equals the sum of: 4765

(a) The sum of the amounts computed for the district for 4766
fiscal year 2016 under section 3317.022 of the Revised Code, as 4767
amended by Am. Sub. H.B. 64 of the 131st General Assembly, and 4768
under divisions (E), (F), and (G) of section 3317.0212 of the 4769
Revised Code, as amended by Am. Sub. H.B. 64 of the 131st General 4770
Assembly, plus any amount calculated for temporary transitional 4771
aid for fiscal year 2016 under division (A) of Section 263.230 of 4772
Am. Sub. H.B. 64 of the 131st General Assembly, and after any 4773
reductions made for fiscal year 2016 under division (B) of Section 4774
263.230 of Am. Sub. H.B. 64 of the 131st General Assembly; 4775

(b) The sum of the payments received by the school district 4776
in fiscal year 2016 for current expense levy losses pursuant to 4777
division (C)(1)(a) or (b) of section 5709.92 of the Revised Code, 4778
excluding the portion of such payments attributable to levies for 4779
joint vocational school district purposes. 4780

(3) Calculate the school district's combined state aid for 4781
fiscal year 2017, which equals the sum of: 4782

(a) The amounts computed for the district for fiscal year 4783
2017 under section 3317.022 of the Revised Code, as amended by Am. 4784
Sub. H.B. 64 of the 131st General Assembly, and under divisions 4785
(E), (F), and (G) of section 3317.0212 of the Revised Code, as 4786
amended by Am. Sub. H.B. 64 of the 131st General Assembly, plus 4787
any amount calculated for temporary transitional aid for fiscal 4788
year 2017 under division (A) of Section 263.230 of Am. Sub. H.B. 4789
64 of the 131st General Assembly, and after any reductions made 4790
for fiscal year 2017 under division (B) of Section 263.230 of Am. 4791
Sub. H.B. 64 of the 131st General Assembly. 4792

(b) The sum of the payments received by the school district 4793
in fiscal year 2017 for current expense levy losses pursuant to 4794

division (C)(1)(a) or (b) of section 5709.92 of the Revised Code, 4795
excluding the portion of such payments attributable to levies for 4796
joint vocational school district purposes. 4797

(B)(1) For fiscal year 2016, each district's payment shall be 4798
in an amount equal to the amount calculated in division (A)(1) of 4799
this section minus the amount calculated in division (A)(2) of 4800
this section. If the result is a negative number, the district's 4801
payment shall be zero. 4802

(2) For fiscal year 2017, each district's payment shall be in 4803
an amount equal to the following: 4804

((The amount calculated in division (A)(1) of this section - the 4805
sum of the amounts calculated under divisions (A)(8) and (A)(9) of 4806
section 3317.022 of the Revised Code for fiscal year 2016) x 0.96) 4807
- (The amount calculated in division (A)(3) of the section - the 4808
sum of the amounts calculated under divisions (A)(8) and (A)(9) of 4809
section 3317.022 of the Revised Code for fiscal year 2017) 4810

If the result is a negative number, the district's payment 4811
shall be zero. 4812

(C) If the Superintendent of Public Instruction determines 4813
that additional appropriations are needed to fully fund the 4814
supplemental foundation aid computed under this section, the 4815
Superintendent may request the Director of Budget and Management 4816
to authorize expenditures from appropriation item 200697, School 4817
District TPP Supplement, in excess of the amounts appropriated. 4818
Upon approval of the Director of Budget and Management, the 4819
additional amounts are hereby appropriated. 4820

If the Superintendent determines that the cash balance of the 4821
School District TPP Supplement Fund (Fund 5RE0) is insufficient to 4822
pay the supplemental foundation aid computed under this section, 4823
at the request of the Superintendent, the Director of Budget and 4824
Management may transfer cash from the General Revenue Fund to Fund 4825

5RE0 in an amount needed to make up the difference. 4826

Section 610.21. That existing Section 263.325 of Am. Sub. 4827
H.B. 64 of the 131st General Assembly, as amended by Sub. S.B. 208 4828
of the 131st General Assembly, is hereby repealed. 4829

Section 733.10. (A) As used in this section, "eligible 4830
student" and "qualifying degree, certification, or license" have 4831
the same meanings as in section 3333.93 of the Revised Code, as 4832
enacted by this act. 4833

(B) Notwithstanding Section 125.10 of this act, an eligible 4834
student who is awarded a grant and will not complete a qualifying 4835
degree, certification, or license before the date the program is 4836
terminated shall receive the remainder of the grant until the 4837
student earns a qualifying degree, certification, or license. 4838

Section 803.10. An agency that will expire because of the 4839
operation of section 101.83 of the Revised Code, during the period 4840
beginning on the effective date of this section and ending on 4841
December 31, 2016, continues in existence until December 31, 2016, 4842
unless the agency is earlier repealed after the effective date of 4843
this section. 4844

It is the intent of this section to postpone, until December 4845
31, 2016, the expiration of an agency, by operation of the Sunset 4846
Review Law, sections 101.82 to 101.87 of the Revised Code, until 4847
the Sunset Review Committee being convened during the 131st 4848
General Assembly has issued its report under section 101.87 of the 4849
Revised Code. 4850

Section 803.20. The amendment or repeal by this act of 4851
sections 5726.51, 5726.98, 5733.063, and 5733.98 of the Revised 4852
Code shall apply to tax years beginning in or after the year in 4853
which this act takes effect. 4854

Section 803.30. The amendment by this act of section 5751.01 4855
of the Revised Code applies to tax periods beginning on or after 4856
the effective date of this act. 4857

Section 806.10. The items of law contained in this act, and 4858
their applications, are severable. If any item of law contained in 4859
this act, or if any application of any item of law contained in 4860
this act, is held invalid, the invalidity does not affect other 4861
items of law contained in this and their applications that can be 4862
given effect without the invalid item of law or application. 4863

Section 812.10. This act is declared to be an emergency 4864
measure necessary for the immediate preservation of the public 4865
peace, health, and safety. The reason for such necessity is to 4866
make program and budgetary modifications needed to ensure the 4867
intent of the recently enacted biennial operating budget is 4868
fulfilled in a timely fashion. Therefore, this act shall go into 4869
immediate effect. 4870