

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 310

Senator Dolan

A BILL

To provide for the distribution of some federal 1
coronavirus relief funding to local 2
subdivisions, to make an appropriation, and to 3
declare an emergency. 4

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

Section 1. (A) As used in this section: 5

(1) "Subdivision" means a county, township, or municipal 6
corporation, and does not include a park district. 7

(2) "Ineligible subdivision" means a county or municipal 8
corporation receiving a direct payment under section 5001 of the 9
"Coronavirus Aid, Relief, and Economic Security Act," as 10
described in 42 U.S.C. 601(b)(2). 11

(3) "2019 LGF allocation" means the amount that would have 12
been deposited to a county's county undivided local government 13
fund in 2019 disregarding any reduction under section 5747.502 14
of the Revised Code and excluding any amounts deposited in that 15
fund that were paid in that year to ineligible subdivisions or 16
pursuant to section 5747.503 of the Revised Code. 17

(4) "2019 CULGF allocation" means the amount of funds from 18

a county's county undivided local government fund a subdivision 19
would have received in 2019 under section 5747.51 or 5747.53 of 20
the Revised Code disregarding any reduction under section 21
5745.502 of the Revised Code and any adjustment because the 22
subdivision, pursuant to an ordinance or resolution, elected to 23
forgo all or a portion of its share of such funds. 24

(5) "Population" has the same meaning as in section 1.59 25
of the Revised Code. 26

(B) As soon as is practicable after the effective date of 27
this section, the Director of Budget and Management, in 28
consultation with the Tax Commissioner, shall provide for 29
payment from the Coronavirus Relief Fund to each county 30
treasury, to be deposited into a new fund in the county treasury 31
to be named the county coronavirus relief distribution fund, 32
which the county treasurer shall create for this purpose. The 33
amount of the payment to each county coronavirus relief 34
distribution fund shall equal the amount appropriated under 35
Section 2 of this act multiplied by a fraction, the numerator of 36
which is the 2019 LGF allocation for that county and the 37
denominator of which is the sum of the 2019 LGF allocations for 38
all counties. 39

(C) Within seven days of deposit in the county coronavirus 40
relief distribution fund of the payment described in division 41
(B) of this section, the county treasurer shall distribute that 42
money to the county, unless the county is an ineligible 43
subdivision, and to each municipal corporation and township that 44
is not an ineligible subdivision, in an amount equal to the 45
amount of money in that fund multiplied by a fraction, the 46
numerator of which equals the subdivision's 2019 CULGF 47
allocation and the denominator of which equals the sum of the 48

2019 CULGF allocations from that county's county undivided local government fund for all such subdivisions. 49
50

Upon making the distribution, the county treasurer shall report to the director of budget and management the amount distributed to each subdivision. The report shall be made in the manner prescribed by the director. 51
52
53
54

(D) Money received under this section by a subdivision shall be deposited into a new fund in the subdivision's treasury to be named the local coronavirus relief fund, which the subdivision's fiscal officer shall create for this purpose. Money in that fund shall be used to cover only costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d). Money in a subdivision's local coronavirus relief fund shall be audited by the Auditor of State during the subdivision's next regular audit under section 117.11 of the Revised Code to determine whether money in the fund has been expended in accordance with the requirements of this section. 55
56
57
58
59
60
61
62
63
64
65
66
67

(E) Not later than October 15, 2020, the fiscal officer of each subdivision shall pay the unencumbered balance of money in the subdivision's local coronavirus relief fund to the county treasurer, who shall deposit this revenue in the county coronavirus relief distribution fund. On or before October 22, 2020, the county treasurer shall distribute money in the county coronavirus relief distribution fund to the county and to each municipal corporation and township in that county, unless the county, municipal corporation, or township is an ineligible subdivision or paid an unencumbered balance to the treasurer under this division, as follows: 68
69
70
71
72
73
74
75
76
77
78

(1) Twenty-five per cent of the money to the county if it 79
qualifies for a distribution under this division; 80

(2) The remaining balance to each such qualifying 81
municipal corporation or township, of which the distribution to 82
each shall equal the amount of the remaining balance multiplied 83
by a fraction, the numerator of which is the population of the 84
municipal corporation or the unincorporated area of the 85
township, and the denominator of which is the sum of the 86
populations of all such municipal corporations and the 87
unincorporated areas of all such townships in the county 88
eligible to receive a payment under division (E) of this 89
section. 90

Money received by a subdivision under division (E) of this 91
section shall be deposited in the subdivision's local 92
coronavirus relief fund and used as required under division (D) 93
of this section. 94

Upon making the distribution under this division, the 95
county treasurer shall report to the director of budget and 96
management the amount of the unencumbered balance paid to the 97
county treasury by each subdivision making such a payment and 98
the amount distributed to each subdivision receiving a 99
distribution under this division. If no subdivision made such a 100
payment to the county treasury, the treasurer shall report that 101
no such payments were made. The report shall be made in the 102
manner prescribed by the director. 103

(F) Not later than December 28, 2020, the fiscal officer 104
of each subdivision shall pay the balance of money in the 105
subdivision's local coronavirus relief fund that remains 106
unexpended on that date to the state treasury in the manner 107
prescribed by the director of budget and management. 108

Section 2. All appropriation items in this section are 109
 appropriated out of money in the state treasury to the credit of 110
 the Coronavirus Relief Fund (Fund 5CV1). For all appropriations 111
 made in this section, the amounts in the first column are for 112
 fiscal year 2020 and the amounts in the second column are for 113
 fiscal year 2021. The appropriations made in this section are in 114
 addition to any other appropriations made for the FY 2020-FY 115
 2021 biennium. 116

117

	1	2	3	4	5
A	OBM OFFICE OF BUDGET AND MANAGEMENT				
B	Dedicated Purpose Fund Group				
C	5CV1	042501	Coronavirus Relief - Local Govt	\$ 350,000,000	\$ 0
D	TOTAL DPF	Dedicated Purpose Fund Group		\$ 350,000,000	\$ 0
E	TOTAL ALL BUDGET FUND GROUPS			\$ 350,000,000	\$ 0

Amounts appropriated in line item 042501, Coronavirus 118
 Relief - Local Govt, are to be distributed as specified in 119
 Section 1 of this act. Any unencumbered and unexpended amounts 120
 left at the end of fiscal year 2020 are hereby reappropriated in 121
 fiscal year 2021. 122

Within the limits set forth in this act, the Director of 123
 Budget and Management shall establish accounts indicating the 124

source and amount of funds for each appropriation made in this 125
act, and shall determine the form and manner in which 126
appropriation accounts shall be maintained. Expenditures from 127
appropriations contained in this act shall be accounted for as 128
though made in H.B. 166 of the 133rd General Assembly. 129

The appropriations made in this act are subject to all 130
provisions of H.B. 166 of the 133rd General Assembly that are 131
generally applicable to such appropriations. 132

Section 3. This act is hereby declared to be an emergency 133
measure necessary for the immediate preservation of the public 134
peace, health, and safety. The reason for such necessity is to 135
address the financial impact to local governments from the 136
COVID-19 pandemic. Therefore, this act shall go into immediate 137
effect. 138