

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 523

Representative Swearingen

A BILL

To amend sections 340.01, 340.02, 340.036, 340.04, 1
340.30, 5119.363, and 5705.221 and to repeal 2
section 340.20 of the Revised Code regarding the 3
composition and authority of boards of alcohol, 4
drug addiction, and mental health services and 5
the taxing authority for such services. 6

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

Section 1. That sections 340.01, 340.02, 340.036, 340.04, 7
340.30, 5119.363, and 5705.221 of the Revised Code be amended to 8
read as follows: 9

Sec. 340.01. (A) As used in this chapter: 10

(1) "Addiction," "addiction services," "alcohol and drug 11
addiction services," "alcoholism," "certifiable services and 12
supports," "community addiction services provider," "community 13
mental health services provider," "drug addiction," "gambling 14
addiction services," "included opioid and co-occurring drug 15
addiction services and recovery supports," "mental health 16
services," "mental illness," and "recovery supports" have the 17
same meanings as in section 5119.01 of the Revised Code. 18

(2) "Medication-assisted treatment" means alcohol and drug 19

addiction services that are accompanied by medication approved 20
by the United States food and drug administration for the 21
treatment of alcoholism or drug addiction, prevention of relapse 22
of alcoholism or drug addiction, or both. 23

(3) "Recovery housing" means housing for individuals 24
recovering from alcoholism or drug addiction that provides an 25
alcohol and drug-free living environment, peer support, 26
assistance with obtaining alcohol and drug addiction services, 27
and other alcoholism and drug addiction recovery assistance. 28

(B) An alcohol, drug addiction, and mental health service 29
district shall be established in any county or combination of 30
counties having a population of at least fifty thousand. With 31
the approval of the director of mental health and addiction 32
services, any county or combination of counties having a 33
population of less than fifty thousand may establish such a 34
district. Districts comprising more than one county shall be 35
known as joint-county districts. 36

The board of county commissioners of any county 37
participating in a joint-county district may submit a resolution 38
requesting withdrawal from the district together with a 39
comprehensive plan or plans that are in compliance with rules 40
adopted by the director of mental health and addiction services 41
under section 5119.22 of the Revised Code, ~~and that provide for~~ 42
~~the equitable adjustment and division of all services, assets,~~ 43
~~property, debts, and obligations, if any, of the joint county~~ 44
~~district~~ to the board of alcohol, drug addiction, and mental 45
health services, to the boards of county commissioners of each 46
county in the district, and to the director. The plan or plans 47
shall include all of the following: proposed bylaws for the 48
operation of the newly established district; a list of potential 49

board members; a list of the behavioral health services 50
available in the newly established district, including 51
inpatient, outpatient, prevention, and housing services; 52
equitable adjustment and division of all services, assets, 53
property, debts, and obligations of the former joint-county 54
district; a plan ensuring no disruption in behavioral health 55
services in the newly-established district; and provision for 56
the employment of an executive director of the newly established 57
district. 58

The director shall approve the plan not later than one 59
year after the date the resolution was adopted by the board of 60
county commissioners. No county participating in a joint-county 61
service-district may withdraw from the district without the 62
consent of the director of mental health and addiction services 63
nor earlier than one year after the submission of such 64
resolution unless all of the participating counties agree to an 65
earlier withdrawal. ~~Any~~ 66

Any county withdrawing from a joint-county district shall 67
continue to have levied against its tax list and duplicate any 68
tax levied by the district during the period in which the county 69
was a member of the district until such time as the levy expires 70
or is renewed or replaced. 71

(C) For any tax levied by the board of a joint-county 72
district under section 5705.19 of the Revised Code, revenue from 73
the tax shall only be expended for the benefit of the residents 74
of the county from which the revenue is derived. 75

Sec. 340.02. (A) For each alcohol, drug addiction, and 76
mental health service district, there shall be appointed a board 77
of alcohol, drug addiction, and mental health services 78
consisting. As provided in this section, the board shall consist 79

of eighteen members ~~or fourteen,~~ fifteen members, twelve 80
members, nine members, or six members. ~~Should the board of~~ 81
~~alcohol, drug addiction, and mental health services elect to~~ 82
~~remain at eighteen members, as provided under section 340.02 of~~ 83
~~the Revised Code as it existed immediately prior to the date of~~ 84
~~this amendment, the board of alcohol, drug addiction, and mental~~ 85
~~health services and the board of county commissioners shall not~~ 86
~~be required to take any action. Should the board of alcohol,~~ 87
~~drug addiction, and mental health services elect a~~ 88
~~recommendation to become a fourteen-member board, that~~ 89
~~recommendation must be approved by the board of county~~ 90
~~commissioners of the county in which the alcohol, drug~~ 91
~~addiction, and mental health district is located in order for~~ 92
~~the transition to a fourteen-member board to occur. Not later~~ 93
~~than September 30, 2013, each board of alcohol, drug addiction,~~ 94
~~and mental health services wishing to become a fourteen member~~ 95
~~board shall notify the board of county commissioners of that~~ 96
~~recommendation. Failure of the board of county commissioners to~~ 97
~~take action within thirty days after receipt of the~~ 98
~~recommendation shall be deemed agreement by the board of county~~ 99
~~commissioners to transition to a fourteen-member board of~~ 100
~~alcohol, drug addiction, and mental health services. Should the~~ 101
~~board of county commissioners reject the recommendation, the~~ 102
~~board of county commissioners shall adopt a resolution stating~~ 103
~~that rejection within thirty days after receipt of the~~ 104
~~recommendation. Upon adoption of the resolution, the board of~~ 105
~~county commissioners shall meet with the board of alcohol, drug~~ 106
~~addiction, and mental health services to discuss the matter.~~ 107
~~After the meeting, the board of county commissioners shall~~ 108
~~notify the department of mental health and addiction services of~~ 109
~~its election not later than January 1, 2014. In a joint county~~ 110
~~district, a majority of the boards of county commissioners must~~ 111

~~not reject the recommendation of a joint county board to become~~ 112
~~a fourteen member board in order for the transition to a~~ 113
~~fourteen member board to occur. Should the joint county district~~ 114
~~have an even number of counties, and the boards of county~~ 115
~~commissioners of these counties tie in terms of whether or not~~ 116
~~to accept the recommendation of the alcohol, drug addiction, and~~ 117
~~mental health services board, the recommendation of the alcohol,~~ 118
~~drug addiction, and mental health service board to become a~~ 119
~~fourteen member board shall prevail. The election shall be~~ 120
~~final. Failure to provide notice of its election to the~~ 121
~~department on or before January 1, 2014, shall constitute an~~ 122
~~election to continue to operate as an eighteen member board,~~ 123
~~which election shall also be final. If an existing board~~ 124
~~provides timely notice of its election to transition to operate~~ 125
~~as a fourteen member board, the number of board members may~~ 126
~~decline from eighteen to fourteen by attrition as current~~ 127
~~members' terms expire. However, the composition of the board~~ 128
~~must reflect the requirements set forth in this section for~~ 129
~~fourteen member boards. For all boards, half of the members~~ 130
~~shall be interested in mental health services and half of the~~ 131
~~members shall be interested in alcohol, drug, or gambling~~ 132
~~addiction services.~~ 133

In a single-county district, the size of the board shall 134
be determined by the board of county commissioners representing 135
the county that constitutes the district. In a joint-county 136
district, the size of the board shall be determined jointly by 137
all of the boards of county commissioners representing the 138
counties that constitute the district. 139

The determination of board size shall be made from among 140
the options that may be selected under division (B) of this 141
section. Once an option is selected, the board of county 142

commissioners or boards of county commissioners, as the case may 143
be, shall adopt a resolution not later than July 1, 2022, 144
specifying the selection that has been made and shall notify the 145
department of mental health and addiction services. Thereafter, 146
a board of county commissioners, or boards of county 147
commissioners, as the case may be, shall not adopt such a 148
resolution more than once every four calendar years. 149

(B) (1) In the case of a board of alcohol, drug addiction, 150
and mental health services that is established on or after the 151
effective date of this amendment, any of the following actions 152
may be selected when making the determination required under 153
division (A) of this section: 154

(a) To establish the board as an eighteen-member board; 155

(b) To establish the board as a fifteen-member board; 156

(c) To establish the board as a twelve-member board; 157

(d) To establish the board as a nine-member board; 158

(e) To establish the board as a six-member board. 159

(2) In the case of a board of alcohol, drug addiction, and 160
mental health services that existed immediately prior to the 161
effective date of this amendment, either of the following 162
options may be selected when making the determination required 163
under division (A) of this section: 164

(a) To continue the board's operation as an eighteen- 165
member board, as a board of that size was authorized prior to 166
the effective date of this amendment; 167

(b) To reduce the board's size by selecting a number of 168
members that is fifteen, twelve, nine, or six, as permitted 169
under division (B) (1) of this section. 170

(C) All members shall be residents of the service 171
district. The membership shall, as nearly as possible, reflect 172
the composition of the population of the service district as to 173
race and sex. 174

~~(B) For boards operating as eighteen-member boards, the~~ 175
The director of mental health and addiction services shall 176
appoint ~~eight~~ one-third of the members of the board and the 177
board of county commissioners shall appoint ~~ten~~ two-thirds of 178
the members. ~~For boards operating as fourteen member boards, the~~ 179
~~director of mental health and addiction services shall appoint~~ 180
~~six members of the board and the board of county commissioners~~ 181
~~shall appoint eight members.~~ In a joint-county district, the 182
board of county commissioners of each participating county shall 183
appoint members in as nearly as possible the same proportion as 184
that county's population bears to the total population of the 185
district, except that at least one member shall be appointed 186
from each participating county. 187

~~(C) The director of mental health and addiction services~~ 188
~~shall ensure that at least one member of the board is a~~ 189
~~clinician with experience in the delivery of mental health~~ 190
~~services, at least one member of the board is~~ In making 191
appointments to the board, the appointing authorities shall 192
ensure that at least one-third of the board's membership, at all 193
times, consists of persons who meet the criteria specified in 194
this paragraph. Of the number that results from calculating the 195
product of one-third of the board, two of the positions included 196
in that number shall be filled as follows: one person who has 197
received or is receiving mental health services and one person 198
who has received or is receiving addiction services. Of the 199
remaining positions included in that number, which applies in 200
the case of a board with more than six members, each position 201

shall be filled by one of the following: a person who has 202
received or is receiving mental health services, ~~at least one~~ 203
~~member of the board is a parent or other relative of such a~~ 204
person who has received or is receiving mental health services, 205
~~at least one member of the board is a clinician with experience~~ 206
~~in the delivery of addiction services, at least one member of~~ 207
~~the board is a person who has received or is receiving addiction~~ 208
~~services, and at least one member of the board is a parent or~~ 209
~~other relative of such a person. A single member who meets both~~ 210
~~qualifications may fulfill the requirement for~~who has received 211
or is receiving addiction services, a clinician with experience 212
in the delivery of mental health services ~~and, or~~ a clinician 213
with experience in the delivery of addiction services. 214

~~(D)~~ No member or employee of a board of alcohol, drug 215
addiction, and mental health services shall serve as a member of 216
the board of any provider with which the board of alcohol, drug 217
addiction, and mental health services has entered into a 218
contract for the provision of services or facilities. No member 219
of a board of alcohol, drug addiction, and mental health 220
services shall be an employee of any provider with which the 221
board has entered into a contract for the provision of services 222
or facilities. No person shall be an employee of a board and 223
such a provider unless the board and provider both agree in 224
writing. 225

~~(E)~~ No person shall serve as a member of the board of 226
alcohol, drug addiction, and mental health services whose 227
spouse, child, parent, brother, sister, grandchild, stepparent, 228
stepchild, stepbrother, stepsister, father-in-law, mother-in- 229
law, son-in-law, daughter-in-law, brother-in-law, or sister-in- 230
law serves as a member of the board of any provider with which 231
the board of alcohol, drug addiction, and mental health services 232

has entered into a contract for the provision of services or 233
facilities. No person shall serve as a member or employee of the 234
board whose spouse, child, parent, brother, sister, stepparent, 235
stepchild, stepbrother, stepsister, father-in-law, mother-in- 236
law, son-in-law, daughter-in-law, brother-in-law, or sister-in- 237
law serves as a county commissioner of a county or counties in 238
the alcohol, drug addiction, and mental health service district. 239

~~(F) Each year each board member shall attend at least one 240
inservice training session provided or approved by the 241
department of mental health and addiction services. 242~~

~~(G) For boards operating as eighteen-member boards, each 243
Each member shall be appointed for a term of four years, 244
commencing the first day of July, except that ~~one-third of~~ 245
~~initial appointments to a newly established board, and to the~~ 246
~~extent possible to expanded boards, shall be for terms of two~~ 247
~~years, one third of initial appointments shall be for terms of~~ 248
~~three years, and one third of initial appointments shall be for~~ 249
~~terms of four years. For boards operating as fourteen-member~~ 250
~~boards, each member shall be appointed for a term of four years,~~ 251
~~commencing the first day of July, except that four of the~~ 252
~~initial appointments to a newly established board, and to the~~ 253
~~extent possible to expanded boards, shall be for terms of two~~ 254
~~years, five initial appointments shall be for terms of three~~ 255
~~years, and five initial appointments shall be for terms of four~~ 256
~~years. No when a board is established on or after the effective~~ 257
~~date of this amendment, the initial appointments shall be~~ 258
~~staggered among the members as equally as possible with terms of~~ 259
~~two years, three years, and four years.~~ 260~~

No member shall serve more than two consecutive four-year 261
terms under the same appointing authority. A member may serve 262

for three consecutive terms under the same appointing authority 263
only if one of the terms is for less than two years. A member 264
who has served two consecutive four-year terms or three 265
consecutive terms totaling less than ten years is eligible for 266
reappointment by the same appointing authority one year 267
following the end of the second or third term, respectively. 268

When a vacancy occurs, appointment for the expired or 269
unexpired term shall be made in the same manner as an original 270
appointment. The board shall notify the appointing authority 271
either by certified mail or, if the board has record of an 272
internet identifier of record associated with the authority, by 273
ordinary mail and by that internet identifier of record of any 274
vacancy and shall fill the vacancy within sixty days following 275
that notice. As used in this paragraph, "internet identifier of 276
record" has the same meaning as in section 9.312 of the Revised 277
Code. 278

Any member of the board may be removed from office by the 279
appointing authority ~~for neglect of duty, misconduct, or~~ 280
~~malfeasance in office, and shall be removed by the appointing~~ 281
~~authority if the member is barred by this section from serving~~ 282
~~as a board member at will.~~ The member shall be informed in 283
writing of the ~~charges and afforded an opportunity for a hearing~~ 284
removal. Upon the absence of a member within one year from 285
either four board meetings or from two board meetings without 286
prior notice, the board shall notify the appointing authority, 287
which may vacate the appointment and appoint another person to 288
complete the member's term. 289

Members of the board shall serve without compensation, but 290
shall be reimbursed for actual and necessary expenses incurred 291
in the performance of their official duties, as defined by rules 292

of the department of mental health and addiction services.	293
(H) As used in this section, "internet identifier of record" has the same meaning as in section 9.312 of the Revised Code.	294 295 296
Sec. 340.036. (A) Subject to division (B) of this section and rules adopted by the director of mental health and addiction services after consultation with relevant constituencies as required by division (A)(10) of section 5119.21 of the Revised Code, each board of alcohol, drug addiction, and mental health services shall enter into contracts with all of the following:	297 298 299 300 301 302
(1) Public and private facilities for the operation of facility services;	303 304
(2) Community addiction services providers for addiction services and recovery supports;	305 306
(3) Community mental health services providers for mental health services and recovery supports.	307 308
(B) No board shall do any of the following:	309
(1) Contract with a residential facility required to be licensed under section 5119.34 of the Revised Code unless the facility is so licensed;	310 311 312
(2) Contract with a community addiction services provider or community mental health services provider for certifiable services and supports unless the certifiable services and supports are certified under section 5119.36 of the Revised Code;	313 314 315 316 317
(3) Contract with a community addiction services provider or community mental health services provider for recovery supports that are required by the director to meet quality	318 319 320

criteria or core competencies unless the recovery supports meet 321
the criteria or competencies. 322

(C) When a board contracts with a community addiction 323
services provider or community mental health services provider 324
for addiction services, mental health services, or recovery 325
supports, all of the following apply: 326

(1) The board shall consider both of the following: 327

(a) The cost effectiveness and quality of the provider's 328
services and supports; 329

(b) Continuity of care. 330

(2) The board may review cost elements, including salary 331
costs, of the services and supports. 332

(3) The board may establish, in a way that is most 333
effective and efficient in meeting local needs, a utilization 334
review process as part of the contract. 335

(D) ~~If a A party to a contract entered into under this 336
section proposes not to renew the contract or proposes 337
substantial changes in contract terms, the other party shall be 338
given written notice at least one hundred twenty days before the 339
expiration date of the contract. During the first sixty days of 340
this one hundred twenty day period, both parties shall attempt 341
to resolve any dispute through good faith collaboration and 342
negotiation in order to continue to provide services and 343
supports to persons in need. If the dispute has not been 344
resolved sixty days before the expiration date of the contract, 345
either party may notify the director of the unresolved dispute. 346
The director may require both parties to submit the dispute to 347
another entity with the cost to be shared by the parties. Not 348
later than twenty days before the expiration date of the 349~~

~~contract or a later date to which both parties agree, the other~~ 350
~~entity shall issue to the parties and director recommendations~~ 351
~~on how the dispute may be resolved. The director shall adopt~~ 352
~~rules establishing the procedures of this dispute resolution~~ 353
~~process~~ may terminate the contract at any time by providing the 354
other party written notice at least thirty calendar days before 355
the termination date. 356

(E) Section 307.86 of the Revised Code does not apply to 357
contracts entered into under this section, but a board of 358
alcohol, drug addiction, and mental health services may elect to 359
establish and use a process for selecting and entering into 360
contracts on a competitive basis or any other basis the board 361
considers appropriate. 362

Sec. 340.04. Each board of alcohol, drug addiction, and 363
mental health services shall employ a qualified mental health or 364
addiction services professional with experience in 365
administration or a professional administrator with experience 366
in mental health services or addiction services to serve as 367
executive director of the board and shall prescribe the 368
director's duties. 369

The board shall fix the compensation of the executive 370
director. In addition to such compensation, the director shall 371
be reimbursed for actual and necessary expenses incurred in the 372
performance of the director's official duties. The board, by 373
majority vote of the full membership, may remove the director 374
for cause at any time, contingent upon any written contract 375
between the board and the executive director, upon written 376
charges, after an opportunity has been afforded the director for 377
a hearing before the board on request. 378

The board may delegate to its executive director the 379

authority to act in its behalf in the performance of its 380
administrative duties. 381

As used in this section, "mental health professional" and 382
"addiction services professional" mean an individual who is 383
qualified to work with mentally ill persons or persons receiving 384
addiction services, pursuant to standards established by the 385
director of mental health and addiction services under Chapter 386
5119. of the Revised Code. 387

Sec. 340.30. (A) There is hereby created the county hub 388
program to combat opioid addiction. The purposes of the program 389
are as follows: 390

(1) To strengthen county and community efforts to prevent 391
and treat opioid addiction; 392

(2) To educate youth and adults about the dangers of 393
opioid addiction and the negative effects it has on society; 394

(3) To promote family building and workforce development 395
as ways of ~~combatting~~ combating opioid addiction in communities; 396

(4) To encourage community engagement in efforts to 397
address the purposes specified in divisions (A) (1) to (3) of 398
this section. 399

(B) The program shall be administered by each board of 400
alcohol, drug addiction, and mental health services. If the 401
service district a board represents consists of more than one 402
county, the board shall administer the program in each county. 403

~~(C) Not later than January 1, 2020, each board shall 404
submit a report to the department of mental health and addiction 405
services summarizing the board's work on, and progress toward, 406
addressing each of the program's purposes. The department shall 407~~

~~aggregate the reports received from the boards and submit a~~ 408
~~statewide report to the governor and general assembly. The copy~~ 409
~~submitted to the general assembly shall be submitted in~~ 410
~~accordance with section 101.68 of the Revised Code.~~ 411

Sec. 5119.363. The director of mental health and addiction 412
services shall adopt rules governing ~~the duties of boards of~~ 413
~~alcohol, drug addiction, and mental health services under~~ 414
~~section 340.20 of the Revised Code and the duties of community~~ 415
addiction services providers under section 5119.362 of the 416
Revised Code. The rules shall be adopted in accordance with 417
Chapter 119. of the Revised Code. 418

The director shall adopt rules under this section that 419
authorize the department of mental health and addiction services 420
to determine an advanced practice registered nurse's, physician 421
assistant's, or physician's compliance with section 3719.064 of 422
the Revised Code if such practitioner works for a community 423
addiction services provider. 424

Sec. 5705.221. (A) At any time, the board of county 425
commissioners of any county by a majority vote of the full 426
membership may declare by resolution and certify to the board of 427
elections of the county that the amount of taxes which may be 428
raised within the ten-mill limitation by levies on the current 429
tax duplicate will be insufficient to provide the necessary 430
requirements of the county's alcohol, drug addiction, and mental 431
health service district established pursuant to Chapter 340. of 432
the Revised Code, or the county's contribution to a joint-county 433
district of which the county is a part, and that it is necessary 434
to levy a tax in excess of such limitation for the operation of 435
community addiction services providers and community mental 436
health services providers and the acquisition, construction, 437

renovation, financing, maintenance, and operation of alcohol and 438
drug addiction facilities and mental health facilities. 439

Such resolution shall conform to section 5705.19 of the 440
Revised Code, except that the increased rate may be in effect 441
for any number of years not exceeding ten. 442

The resolution shall be certified and submitted in the 443
manner provided in section 5705.25 of the Revised Code, except 444
that it may be placed on the ballot in any election, and except 445
as otherwise provided in division (G) of this section. The 446
resolution shall be certified to the board of elections not less 447
than ninety days before the election at which it will be voted 448
upon. 449

If the majority of the electors voting on a levy to 450
supplement general fund appropriations for the support of the 451
comprehensive community addiction and mental health services 452
providers vote in favor of the levy, the board may levy a tax 453
within the county at the additional rate outside the ten-mill 454
limitation during the specified ~~or continuing~~ period, for the 455
purpose stated in the resolution. 456

(B) When electors have approved a tax levy under this 457
section, the board of county commissioners may anticipate a 458
fraction of the proceeds of the levy and, from time to time, 459
issue anticipation notes in accordance with section 5705.191 or 460
5705.193 of the Revised Code. 461

(C) The county auditor who is the fiscal officer of the 462
alcohol, drug addiction, and mental health service district, 463
upon receipt of a resolution from the board of alcohol, drug 464
addiction, and mental health services, shall establish for the 465
district a capital improvements account or a reserve balance 466

account, or both, as specified in the resolution. The capital 467
improvements account shall be a contingency fund for the 468
necessary acquisition, replacement, renovation, or construction 469
of facilities and movable and fixed equipment. Upon the request 470
of the board, funds not needed to pay for current expenses may 471
be appropriated to the capital improvements account, in amounts 472
such that the account does not exceed twenty-five per cent of 473
the replacement value of all capital facilities and equipment 474
currently used by the board for programs and services. Other 475
funds which are available for current capital expenses from 476
federal, state, or local sources may also be appropriated to 477
this account. 478

The reserve balance account shall contain those funds that 479
are not needed to pay for current operating expenses and not 480
deposited in the capital improvements account but that will be 481
needed to pay for operating expenses in the future. Upon the 482
request of a board, such funds shall be appropriated to the 483
reserve balance account. Payments from the capital improvements 484
account and the reserve balance account shall be made by the 485
county treasurer who is the custodian of funds for the district 486
upon warrants issued by the county auditor who is the fiscal 487
officer of the district pursuant to orders of the board. 488

(D) If a board of county commissioners levies a tax under 489
this section for the county's contribution to a joint-county 490
district of which the county is a part, revenue from the tax 491
shall only be expended for the benefit of the residents of the 492
county. 493

(E) If a board of county commissioners levies a tax under 494
this section for the county's contribution to a joint-county 495
district of which the county is a part and that district expands 496

or contracts due to the addition or withdrawal of another 497
county, the board, provided that county remains a part of the 498
newly expanded or contracted joint-county district, shall 499
continue to levy and collect that tax, pursuant to the terms 500
originally approved by electors, for the county's contribution 501
to the newly expanded or contracted joint-county district of 502
which the county is a part. Notwithstanding sections 5705.192 503
and 5705.25 of the Revised Code, the election notice and ballot 504
language of a renewal or replacement of such a levy shall 505
identify the name of the newly expanded or contracted joint- 506
county district. 507

(F) If a board of county commissioners levies a tax under 508
this section for the county's contribution to a joint-county 509
district of which the county is a part and the county withdraws 510
from the district, the board shall continue to levy and collect 511
that tax, pursuant to the terms originally approved by electors, 512
for one of the following purposes, if either situation applies: 513

(1) For the county's contribution to a newly joined joint- 514
county district, if the county joins such a joint-county 515
district in the tax year after the year in which the county 516
withdraws from the other joint-county district; 517

(2) To provide the necessary requirements of the county's 518
alcohol, drug addiction, and mental health service district, if 519
the county establishes such a district under Chapter 340. of the 520
Revised Code in the tax year after the year in which the county 521
withdraws from the joint-county district. 522

Notwithstanding sections 5705.192 and 5705.25 of the 523
Revised Code, the election notice and ballot language of a 524
renewal or replacement of such a levy shall identify the name of 525
the newly established district or newly joined joint-county 526

<u>district.</u>	527
<u>(G) Division (G) of this section applies only if all of</u>	528
<u>the following apply:</u>	529
<u>(1) The county withdraws from a joint-county district.</u>	530
<u>(2) The board of alcohol, drug addiction, and mental</u>	531
<u>health services of that joint-county district levies a tax under</u>	532
<u>section 5705.19 of the Revised Code in the tax year for which</u>	533
<u>the county withdraws from the joint-county district.</u>	534
<u>(3) The board of county commissioners of the withdrawing</u>	535
<u>county adopts a resolution under division (A) of this section</u>	536
<u>proposing a tax under this section that specifies that the first</u>	537
<u>tax year the tax is to be levied by the board is the tax year</u>	538
<u>after the year the tax described in division (G)(2) of this</u>	539
<u>section expires or is renewed or replaced, as authorized under</u>	540
<u>division (B) of section 340.01 of the Revised Code.</u>	541
<u>In addition to the certification required under division</u>	542
<u>(B)(1) of section 5705.03 of the Revised Code, the county</u>	543
<u>auditor shall certify to the board of county commissioners that</u>	544
<u>the proposed tax described in division (G)(3) of this section is</u>	545
<u>a renewal, renewal and decrease, or renewal and increase for the</u>	546
<u>purpose of being identified as such in the proposed tax's</u>	547
<u>election notice and ballot language under section 5705.25 of the</u>	548
<u>Revised Code if the collections in the first year the tax is to</u>	549
<u>be levied, calculated using only carryover property in the</u>	550
<u>county as defined in section 319.301 of the Revised Code, is</u>	551
<u>equal to, less than, or more than, respectively, the collections</u>	552
<u>of the tax described in division (G)(2) of this section in the</u>	553
<u>county in the last tax year such tax is to be levied in the</u>	554
<u>county.</u>	555

In addition to certifying to the board of elections the 556
county auditor's certification provided under division (B) (1) of 557
section 5705.03 of the Revised Code, the board of county 558
commissioners shall certify to the board of elections the county 559
auditor's certification provided under division (G) of this 560
section. 561

Notwithstanding section 5705.25 of the Revised Code, the 562
election notice and ballot language for the question of a tax 563
described under (G) (3) of this section shall specify that the 564
tax is a renewal, renewal and decrease, or renewal and increase, 565
as certified by the county auditor under division (G) of this 566
section. 567

If the tax is approved by electors, the tax shall be 568
treated as a tax levied for the first time for the purpose of 569
calculating the reduction under section 319.301 of the Revised 570
Code. 571

Section 2. That existing sections 340.01, 340.02, 340.036, 572
340.04, 340.30, 5119.363, and 5705.221 of the Revised Code are 573
hereby repealed. 574

Section 3. That section 340.20 of the Revised Code is 575
hereby repealed. 576

Section 4. Section 340.036 of the Revised Code, as amended 577
by this act, applies to contracts entered into, modified, or 578
renewed on or after the effective date of this section. 579

The enactment by this act of division (C) of section 580
340.01 and divisions (D) to (F) of section 5705.221 of the 581
Revised Code applies to tax years ending on or after the 582
effective date of this section, regardless of the date the taxes 583
described in those divisions were approved by electors. 584

The enactment by this act of division (G) of section	585
5705.221 of the Revised Code applies to resolutions described	586
under division (G) (3) of that section, as enacted by this act,	587
adopted on or after one hundred days after the effective date of	588
this section.	589