

_____ moved to amend as follows:

In line 1 of the title, after "sections" insert "349.01,"	1
In line 5 of the title, delete "and" and insert ","	2
In line 6 of the title, after "properties" insert ", and new communities"	3 4
In line 7, after "sections" insert "349.01,"	5
After line 10, insert:	6
 "Sec. 349.01. As used in this chapter:	7
 (A) "New community" means a community or development of property in relation to an existing community planned so that the resulting community includes facilities for the conduct of industrial, commercial, residential, cultural, educational, and recreational activities, and designed in accordance with planning concepts for the placement of utility, open space, and other supportive facilities.	8 9 10 11 12 13 14
 (B) "New community development program" means a program for the development of a new community characterized by well-	15 16



balanced and diversified land use patterns and which includes 17
land acquisition and land development, the acquisition, 18
construction, operation, and maintenance of community 19
facilities, and the provision of services authorized in this 20
chapter. 21

A new community development program may take into account 22
any existing community in relation to which a new community is 23
developed for purposes of being characterized by well-balanced 24
and diversified land use patterns. 25

(C) "New community district" means the area of land 26
described by the developer in the petition as set forth in 27
division (A) of section 349.03 of the Revised Code for 28
development as a new community and any lands added to the 29
district by amendment of the resolution establishing the 30
community authority. 31

(D) "New community authority" means a body corporate and 32
politic in this state, established pursuant to section 349.03 of 33
the Revised Code and governed by a board of trustees as provided 34
in section 349.04 of the Revised Code. 35

(E) "Developer" means any person, organized for carrying 36
out a new community development program who owns or controls, 37
through leases of at least seventy-five years' duration, 38
options, or contracts to purchase, the land within a new 39
community district, or any municipal corporation, county, or 40
port authority that owns the land within a new community 41
district, or has the ability to acquire such land, either by 42
voluntary acquisition or condemnation in order to eliminate 43
slum, blighted, and deteriorated or deteriorating areas and to 44
prevent the recurrence thereof. "Developer" may also mean a 45
person, municipal corporation, county, or port authority that 46

controls land within a new community district through leases of 47
at least seventy-five years' duration. "Developer" includes a 48
lessor that continues to own and control land for purposes of 49
this chapter pursuant to leases with a ninety-nine-year 50
renewable term, so long as all of the following apply: 51

(1) The developer's new community district consists of at 52
least five leases described in this section. 53

(2) The leases are subject to forfeiture for all of the 54
following: 55

(a) Failing to pay taxes and assessments; 56

(b) Failing to pay an annual fee of up to one per cent of 57
rent for sanitary purposes and improvements made to streets; 58

(c) Failing to keep the premises as required by sanitary 59
and police regulations of the developer. 60

(3) The new community authority is established on or 61
before December 31, ~~2021~~2024. 62

(F) "Organizational board of commissioners" means the 63
following: 64

(1) For a new community district that is located in only 65
one county, the board of county commissioners of that county; 66

(2) For a new community district that is located in more 67
than one county, a board consisting of the members of the board 68
of county commissioners of each of the counties in which the 69
district is located, provided that action of the board shall 70
require a majority vote of the members of each separate board of 71
county commissioners; or 72

(3) For a new community district that is located entirely 73

within the boundaries of a municipal corporation or for a new 74
community district where more than half of the new community 75
district is located within the boundaries of the most populous 76
municipal corporation of a county, the legislative authority of 77
the municipal corporation. 78

(G) "Land acquisition" means the acquisition of real 79
property and interests in real property as part of a new 80
community development program. 81

(H) "Land development" means the process of clearing and 82
grading land, making, installing, or constructing water 83
distribution systems, sewers, sewage collection systems, steam, 84
gas, and electric lines, roads, streets, curbs, gutters, 85
sidewalks, storm drainage facilities, and other installations or 86
work, whether within or without the new community district, and 87
the construction of community facilities. 88

(I) "Community facilities" means all real property, 89
buildings, structures, or other facilities, including related 90
fixtures, equipment, and furnishings, to be owned, operated, 91
financed, constructed, and maintained under this chapter or in 92
furtherance of community activities, whether within or without 93
the new community district, including public, community, 94
village, neighborhood, or town buildings, centers and plazas, 95
auditoriums, day care centers, recreation halls, educational 96
facilities, health care facilities including hospital facilities 97
as defined in section 140.01 of the Revised Code, 98
telecommunications facilities, including all facilities 99
necessary to provide telecommunications service as defined in 100
section 4927.01 of the Revised Code, recreational facilities, 101
natural resource facilities, including parks and other open 102
space land, lakes and streams, cultural facilities, community 103

streets and off-street parking facilities, pathway and bikeway 104
systems, pedestrian underpasses and overpasses, lighting 105
facilities, design amenities, or other community facilities, and 106
buildings needed in connection with water supply or sewage 107
disposal installations, or energy facilities including those for 108
renewable or sustainable energy sources, and steam, gas, or 109
electric lines or installation. 110

(J) "Cost" as applied to a new community development 111
program means all costs related to land acquisition and land 112
development, the acquisition, construction, maintenance, and 113
operation of community facilities and offices of the community 114
authority, and of providing furnishings and equipment therefor, 115
financing charges including interest prior to and during 116
construction and for the duration of the new community 117
development program, planning expenses, engineering expenses, 118
administrative expenses including working capital, and all other 119
expenses necessary and incident to the carrying forward of the 120
new community development program. 121

(K) "Income source" means any and all sources of income to 122
the community authority, including community development charges 123
of which the new community authority is the beneficiary as 124
provided in section 349.07 of the Revised Code, rentals, user 125
fees and other charges received by the new community authority, 126
any gift or grant received, any moneys received from any funds 127
invested by or on behalf of the new community authority, and 128
proceeds from the sale or lease of land and community 129
facilities. 130

(L) "Community development charge" means: 131

(1) A dollar amount which shall be determined on the basis 132
of the assessed valuation of real property or interests in real 133

property in a new community district, the income of the 134
residents of such property subject to such charge under section 135
349.07 of the Revised Code, if such property is devoted to 136
residential uses or to the profits, gross receipts, or other 137
revenues of any business including, but not limited to, rentals 138
received from leases of real property located in the district, a 139
uniform or other fee on each parcel of such real property in a 140
new community district, or any combination of the foregoing 141
bases. 142

(2) If a new community authority imposes a community 143
development charge determined on the basis of rentals received 144
from leases of real property, improvements of any real property 145
located in the new community district and subject to that charge 146
may not be exempted from taxation under section 5709.40, 147
5709.41, 5709.73, or 5709.78 of the Revised Code. 148

(M) "Proximate city" means the following: 149

(1) For a new community district other than a new 150
community district described in division (M) (2) or (3) of this 151
section, any city that, as of the date of filing of the petition 152
under section 349.03 of the Revised Code, is the city with the 153
greatest population located in the county in which the proposed 154
new community district is located, is the city with the greatest 155
population located in an adjoining county if any portion of such 156
city is within five miles of any part of the boundaries of such 157
district, or exercises extraterritorial subdivision authority 158
under section 711.09 of the Revised Code with respect to any 159
part of such district. 160

(2) A municipal corporation in which, at the time of 161
filing the petition under section 349.03 of the Revised Code, 162
any portion of the proposed new community district is located. 163

(3) For a new community district other than a new
community district described in division (M) (2) of this section,
if at the time of filing the petition under section 349.03 of
the Revised Code, more than one-half of the proposed district is
contained within a joint economic development district created
under sections 715.70 to 715.83 of the Revised Code, the
township containing the greatest portion of the territory of the
joint economic development district.

(N) "Community activities" means cultural, educational,
governmental, recreational, residential, industrial, commercial,
distribution and research activities, or any combination thereof
that includes residential activities."

In line 1106, after "sections" insert "349.01,"

The motion was _____ agreed to.

SYNOPSIS

New Community Law

R.C. 349.01

Changes the date from December 31, 2021, to December 31,
2024, in which a new community authority must be established to
satisfy one of the three criteria required for a developer with
a 99-year renewable lease of the land to qualify under the New
Community Law.