

**I\_135\_2388-3**

**135th General Assembly  
Regular Session  
2023-2024**

**Sub. H. B. No. 497**

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**A BILL**

To amend sections 7.10, 7.16, 125.182, 135.33, 1  
149.38, 153.31, 153.35, 153.36, 153.37, 153.38, 2  
153.39, 153.44, 301.02, 301.15, 301.28, 301.29, 3  
303.06, 303.08, 303.09, 303.12, 303.15, 303.32, 4  
303.58, 307.022, 307.041, 307.10, 307.12, 5  
307.37, 307.39, 307.561, 307.676, 307.70, 6  
307.79, 307.791, 307.81, 307.82, 307.83, 307.87, 7  
307.88, 307.981, 309.09, 313.02, 313.10, 313.12, 8  
313.14, 313.161, 317.20, 319.11, 321.18, 322.02, 9  
322.021, 323.08, 323.122, 323.62, 323.73, 10  
325.15, 331.06, 339.08, 345.03, 1901.023, 11  
2151.271, 2335.061, 4723.431, 4730.19, 5153.112, 12  
and 5540.03 and to enact section 307.901 of the 13  
Revised Code to make various changes regarding 14  
county law, to extend the Erie county municipal 15  
court's territorial jurisdiction, to modify 16  
educational requirements for public children 17  
services agency caseworkers, to extinguish a 18  
land use restriction and release an easement in 19  
Montgomery County, and to authorize the 20  
conveyance of certain parcels of state-owned 21  
real property in Knox county. 22



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

**Section 1.** That sections 7.10, 7.16, 125.182, 135.33, 23  
149.38, 153.31, 153.35, 153.36, 153.37, 153.38, 153.39, 153.44, 24  
301.02, 301.15, 301.28, 301.29, 303.06, 303.08, 303.09, 303.12, 25  
303.15, 303.32, 303.58, 307.022, 307.041, 307.10, 307.12, 26  
307.37, 307.39, 307.561, 307.676, 307.70, 307.79, 307.791, 27  
307.81, 307.82, 307.83, 307.87, 307.88, 307.981, 309.09, 313.02, 28  
313.10, 313.12, 313.14, 313.161, 317.20, 319.11, 321.18, 322.02, 29  
322.021, 323.08, 323.122, 323.62, 323.73, 325.15, 331.06, 30  
339.08, 345.03, 1901.023, 2151.271, 2335.061, 4723.431, 4730.19, 31  
5153.112, and 5540.03 be amended and section 307.901 of the 32  
Revised Code be enacted to read as follows: 33

**Sec. 7.10.** For the publication of advertisements, notices, 34  
and proclamations, except those relating to proposed amendments 35  
to the Ohio Constitution, required to be published by a public 36  
officer of the state, a benevolent or other public institution, 37  
a trustee, assignee, executor, or administrator, or by or in any 38  
court of record, except when the rate is otherwise fixed by law, 39  
publishers of newspapers may charge and receive for such 40  
advertisements, notices, and proclamations rates charged on 41  
annual contracts by them for a like amount of space to other 42  
advertisers who advertise in its general display advertising 43  
columns. 44

For the publication of advertisements, notices, or 45  
proclamations required to be published by a public officer of a 46  
county, municipal corporation, township, school, or other 47  
political subdivision, publishers of newspapers shall establish 48  
a government rate. The government rate shall not exceed the 49  
lowest classified advertising rate and lowest insert rate paid 50

by other advertisers.

Legal advertising appearing in print, except that relating to proposed amendments to the Ohio Constitution, shall be set up in a compact form, without unnecessary spaces, blanks, or headlines, and printed in not smaller than six-point type. The type used must be of such proportions that the body of the capital letter M is no wider than it is high and all other letters and characters are in proportion.

Except as provided in section 2701.09 of the Revised Code, all legal advertisements, notices, and proclamations shall be printed in a newspaper of general circulation ~~and shall be or~~ posted by the publisher of the newspaper on the newspaper's internet web site, if the newspaper has one. A publisher of a newspaper shall ~~not charge~~ establish a government rate, which shall not exceed the lowest classified advertising rate and lowest insert rate paid by other advertisers, for posting legal advertisements, notices, and proclamations that are required by law to be published in a newspaper of general ~~circulation~~ circulation's digital edition on the newspaper's internet web site.

Whenever a notice or advertisement is required by a section of the Revised Code or an administrative rule to be published in a newspaper of general circulation, or posted by the publisher of the newspaper in the newspaper's digital edition on the newspaper's internet web site, the notice or advertisement also shall be posted on the official public notice web site, established under section 125.182 of the Revised Code, by the publisher of the newspaper.

**Sec. 7.16.** (A) As used in this section:

(1) "State agency" means any organized body, office, 80  
agency, institution, or other entity established by the laws of 81  
the state for the exercise of any function of state government, 82  
including state institutions of higher education, as defined in 83  
section 3345.011 of the Revised Code. 84

(2) "Political subdivision" has the meaning defined in 85  
section 2744.01 of the Revised Code. 86

(B) If a section of the Revised Code or an administrative 87  
rule requires a state agency or a political subdivision to 88  
publish a notice or advertisement two or more times in a 89  
newspaper of general circulation and the section or 90  
administrative rule refers to this section, the first 91  
publication of the notice or advertisement shall be made in its 92  
entirety in a newspaper of general circulation and may be made 93  
in a preprinted insert in the newspaper, but the second 94  
publication otherwise required by that section or administrative 95  
rule may be made in abbreviated form in a newspaper of general 96  
circulation in the state or in the political subdivision, as 97  
designated in that section or administrative rule, and on the 98  
newspaper's internet web site, if the newspaper has one. The 99  
state agency or political subdivision may eliminate any further 100  
newspaper publications required by that section or 101  
administrative rule, provided that the second, abbreviated 102  
notice or advertisement meets all of the following requirements: 103

(1) It is published in the newspaper of general 104  
circulation in which the first publication of the notice or 105  
advertisement was made. 106

(2) It is posted by the publisher of the newspaper on the 107  
official public notice web site established under section 108  
125.182 of the Revised Code. ~~The publisher shall post the~~ 109

~~required notice or advertisement on the web site at no~~ 110  
~~additional cost.~~ 111

(3) It includes a title, followed by a summary paragraph 112  
or statement that clearly describes the specific purpose of the 113  
notice or advertisement, and includes a statement that the 114  
notice or advertisement is posted in its entirety on the 115  
official public notice web site. The notice or advertisement 116  
also may be posted on the state agency's or political 117  
subdivision's internet web site. 118

(4) It includes the internet address of the official 119  
public notice web site and the name, address, telephone number, 120  
and electronic mail address of the state agency, political 121  
subdivision, or other party responsible for publication of the 122  
notice or advertisement. 123

(C) A notice or advertisement published under this section 124  
on an internet web site shall be published in its entirety in 125  
accordance with the section of the Revised Code or the 126  
administrative rule that requires the publication. 127

(D) If the official public notice web site established 128  
under section 125.182 of the Revised Code is not operational, 129  
the state agency or political subdivision shall not publish a 130  
notice or advertisement under this section, but instead shall 131  
comply with the publication requirements of the section of the 132  
Revised Code or the administrative rule that refers to this 133  
section. 134

**Sec. 125.182.** (A) An Ohio trade association that 135  
represents the majority of newspapers of general circulation as 136  
defined in section 7.12 of the Revised Code shall operate and 137  
maintain the official public notice web site. 138

Not later than one hundred eighty days after September 15,  
2014, in all cases in which a notice or advertisement is  
required by a section of the Revised Code or an administrative  
rule to be published in a newspaper of general circulation, or  
in a daily law journal as required by section 2701.09 of the  
Revised Code, the notice or advertisement also shall be posted  
on the official public notice web site by the publisher of the  
newspaper or journal.

The operator of the official public notice web site shall:

(1) Use a domain name for the web site that will be easily  
recognizable and remembered by and understandable to users of  
the web site;

(2) Maintain the web site on the internet so that it is  
fully accessible to and searchable by members of the public at  
all times, other than during maintenance or acts of God outside  
the operator's control;

(3) Not charge a fee to a person that accesses the web  
site to view notices or advertisements or to perform searches of  
the web site, provided that the operator may charge a fee for  
enhanced search and customized content delivery features;

~~(4) Not charge a fee to a state agency or political  
subdivision for publishing a notice or advertisement on the web  
site, including when the notice or advertisement is not  
otherwise published in a newspaper or journal;~~

~~(5) Ensure that notices and advertisements displayed on  
the web site conform to the requirements that would apply to the  
notices and advertisements if they were being published in a  
newspaper, as directed in section 7.16 of the Revised Code or in  
the relevant provision of the statute or rule that requires the~~

notice, as applicable; 168

~~(6)~~ (5) Ensure that notices and advertisements continue to 169  
be displayed on the web site for not less than the length of 170  
time required by the relevant provision of the statute or rule 171  
that requires the notice or advertisement; 172

~~(7)~~ (6) Maintain an archive of notices and advertisements 173  
that no longer are displayed on the web site; 174

~~(8)~~ (7) Enable notices and advertisements, both those 175  
currently displayed and those archived, to be accessed by key 176  
word, by party name, by case number, by county, and by other 177  
useful identifiers; 178

~~(9)~~ (8) Maintain adequate systemic security and backup 179  
features, and develop and maintain a contingency plan for coping 180  
with and recovering from power outages, systemic failures, and 181  
other unforeseeable difficulties; 182

~~(10)~~ (9) Provide access to the web site to the publisher of 183  
any Ohio newspaper or daily law journal that qualifies under the 184  
Revised Code to publish notices and advertisements, for the 185  
posting of notices and advertisements at no cost, or for a 186  
reasonable, uniform fee for the service; and 187

~~(11)~~ (10) Provide, if requested, a regularly scheduled feed 188  
or similar data transfer to the department of administrative 189  
services of notices and advertisements posted on the web site, 190  
provided that the operator of the web site shall not be required 191  
to provide the feed or transfer more often than once every 192  
business day. 193

(B) An error in a notice or advertisement posted on the 194  
official public notice web site, or a temporary web site outage 195  
or service interruption preventing the posting or display of a 196

notice or advertisement on that web site, does not constitute a 197  
defect in making legal publication of the notice or 198  
advertisement, and publication requirements shall be considered 199  
met if the notice or advertisement published in the newspaper or 200  
daily law journal is correct. 201

(C) The official public notice web site shall not contain 202  
any political publications or political advertising described in 203  
division (A) (1) (a), (b), or (c) of section 3517.20 of the 204  
Revised Code. 205

(D) The publisher of a newspaper of general circulation or 206  
of a daily law journal that maintains a web site shall include 207  
on its web site a link to the official public notice web site. 208

**Sec. 135.33.** ~~(A)~~ (A) (1) The board of county commissioners 209  
shall meet every four years in the month next preceding the date 210  
of the expiration of its current period of designation for the 211  
purpose of designating its public depositories of active moneys 212  
for the next succeeding four-year period commencing on the date 213  
of expiration of the preceding period. 214

At least sixty days before the meeting, the county 215  
treasurer shall submit to the board an estimate of the aggregate 216  
amount of public moneys that might be available for deposit as 217  
active moneys at any one time during the next four-year period. 218  
Upon receipt of such estimate, the board shall immediately 219  
notify all eligible institutions that might desire to be 220  
designated as such public depositories of the date on which the 221  
designation is to be made; the amount that has been estimated to 222  
be available for deposit; and the date fixed as the last date on 223  
which applications may be submitted, that shall not be more than 224  
thirty days or less than ten days prior to the date set for the 225  
meeting designating public depositories. 226



(2) During a period of designation, the board of county 227  
commissioners, at its discretion, may meet once in accordance 228  
with the procedures of this section in order to designate 229  
additional public depositories for the current period of 230  
designation, provided that any additional designation shall take 231  
effect at least one hundred eighty days before the current 232  
period of designation expires and shall expire on the same date 233  
as all other public depositories in the current period of 234  
designation. 235

(B) Any eligible institution described in division (A) of 236  
section 135.32 of the Revised Code that has an office located 237  
within the territorial limits of the county is eligible to 238  
become a public depository of the active moneys of the county. 239  
Each eligible institution desiring to be a public depository of 240  
such active moneys shall, not more than thirty days or less than 241  
ten days prior to the date fixed by this section, make 242  
application therefor in writing to the board of county 243  
commissioners. The application may specify the maximum amount of 244  
such public moneys that the applicant desires to receive and 245  
have on deposit at any time during the period covered by the 246  
designation. Each application shall be accompanied by a 247  
financial statement of the applicant, under oath of its cashier, 248  
treasurer, or other officer as of the date of its latest report 249  
to the superintendent of banks or comptroller of the currency, 250  
and adjusted to show any changes therein prior to the date of 251  
the application, that shall include a statement of its public 252  
and nonpublic deposits. 253

(C) The board of county commissioners, upon recommendation 254  
of the treasurer, shall designate, by resolution, one or more 255  
eligible institutions as public depositories for active moneys. 256  
In case the aggregate amount of active moneys applied for by 257

institutions within the county is less than the amount estimated 258  
to be available for deposit, the board may designate as a public 259  
depository one or more eligible institutions that are 260  
conveniently located. The original resolution of designation 261  
shall be certified to the treasurer and any institution 262  
designated as a public depository. 263

(D) No service charge shall be made against any deposit of 264  
active moneys, or collected or paid, unless such service charge 265  
is the same as is customarily imposed by institutions receiving 266  
money on deposit subject to check, in which event the charge may 267  
be paid. 268

(E) Notwithstanding division (C) of this section, the 269  
board of county commissioners may authorize, by resolution, the 270  
treasurer to deposit money necessary to pay the principal and 271  
interest on bonds and notes, and any fees incident thereto, in 272  
any bank within this state. 273

Moneys so deposited shall be transferred by the treasurer 274  
according to the terms of the agreement with the bank but shall 275  
remain as public moneys until such time as they are actually 276  
paid out by the bank. Until such time as payments become due and 277  
payable on such principal or interest, the bank shall invest any 278  
moneys in the account in interest-bearing obligations at the 279  
highest, reasonable rate of interest obtainable. 280

So long as moneys remain in the account, the bank shall 281  
deliver to the treasurer, at the end of each month, a statement 282  
showing an accounting of all activities in the account during 283  
the preceding month including, but not limited to, all payments 284  
made, all interest earned, and the beginning and ending 285  
balances, together with any coupons redeemed since the preceding 286  
statement was issued. 287

**Sec. 149.38.** (A) Except as otherwise provided in section 288  
307.847 of the Revised Code, there is hereby created in each 289  
county a county records commission, composed of a member of the 290  
board of county commissioners as chairperson, the prosecuting 291  
attorney, the auditor, the recorder, and the clerk of the court 292  
of common pleas. The commission shall appoint a secretary, who 293  
may or may not be a member of the commission and who shall serve 294  
at the pleasure of the commission. The commission may employ an 295  
archivist or records manager to serve under its direction. The 296  
commission shall meet ~~at least once every six months and upon~~ 297  
the call of the chairperson. 298

(B) (1) The functions of the county records commission 299  
shall be to provide rules for retention and disposal of records 300  
of the county, and to review applications for one-time disposal 301  
of obsolete records and schedules of records retention and 302  
disposition submitted by county offices. The commission may 303  
dispose of records pursuant to the procedure outlined in this 304  
section. The commission, at any time, may review any schedule it 305  
has previously approved and, for good cause shown, may revise 306  
that schedule, subject to division (D) of this section. 307

(2) (a) As used in division (B) (2) of this section, "paper 308  
case records" means written reports of child abuse or neglect, 309  
written records of investigations, or other written records 310  
required to be prepared under section 2151.421, 5101.13, 311  
5153.166, or 5153.17 of the Revised Code. 312

(b) A county public children services agency may submit to 313  
the county records commission applications for one-time 314  
disposal, or schedules of records retention and disposition, of 315  
paper case records that have been entered into permanently 316  
maintained and retrievable fields in the state automated child 317

welfare information system established under section 5101.13 of 318  
the Revised Code or entered into other permanently maintained 319  
and retrievable electronic files. The county records commission 320  
may dispose of the paper case records pursuant to the procedure 321  
outlined in this section. 322

(C) (1) When the county records commission has approved any 323  
county application for one-time disposal of obsolete records or 324  
any schedule of records retention and disposition, the 325  
commission shall send that application or schedule to the Ohio 326  
history connection for its review. The Ohio history connection 327  
shall review the application or schedule within a period of not 328  
more than sixty days after its receipt of it. During the sixty- 329  
day review period, the Ohio history connection may select for 330  
its custody from the application for one-time disposal of 331  
obsolete records any records it considers to be of continuing 332  
historical value, and shall denote upon any schedule of records 333  
retention and disposition any records for which the Ohio history 334  
connection will require a certificate of records disposal prior 335  
to their disposal. 336

(2) Upon completion of its review, the Ohio history 337  
connection shall forward the application for one-time disposal 338  
of obsolete records or the schedule of records retention and 339  
disposition to the auditor of state for the auditor's approval 340  
or disapproval. The auditor of state shall approve or disapprove 341  
the application or schedule within a period of not more than 342  
sixty days after receipt of it. 343

(3) Before public records are to be disposed of pursuant 344  
to an approved schedule of records retention and disposition, 345  
the county records commission shall inform the Ohio history 346  
connection of the disposal through the submission of a 347

certificate of records disposal for only the records required by 348  
the schedule to be disposed of and shall give the Ohio history 349  
connection the opportunity for a period of fifteen business days 350  
to select for its custody those records, from the certificate 351  
submitted, that it considers to be of continuing historical 352  
value. Upon the expiration of the fifteen-business-day period, 353  
the county records commission also shall notify the public 354  
libraries, county historical society, state universities, and 355  
other public or quasi-public institutions, agencies, or 356  
corporations in the county that have provided the commission 357  
with their name and address for these notification purposes, 358  
that the commission has informed the Ohio history connection of 359  
the records disposal and that the notified entities, upon 360  
written agreement with the Ohio history connection pursuant to 361  
section 149.31 of the Revised Code, may select records of 362  
continuing historical value, including records that may be 363  
distributed to any of the notified entities under section 149.31 364  
of the Revised Code. Any notified entity that notifies the 365  
county records commission of its intent to review and select 366  
records of continuing historical value from certificates of 367  
records disposal is responsible for the cost of any notice given 368  
and for the transportation of those records. 369

(D) The rules of the county records commission shall 370  
include a rule that requires any receipts, checks, vouchers, or 371  
other similar records pertaining to expenditures from the 372  
delinquent tax and assessment collection fund created in section 373  
321.261 of the Revised Code, from the real estate assessment 374  
fund created in section 325.31 of the Revised Code, or from 375  
amounts allocated for the furtherance of justice to the county 376  
sheriff under section 325.071 of the Revised Code or to the 377  
prosecuting attorney under section 325.12 of the Revised Code to 378

be retained for at least four years. 379

(E) No person shall knowingly violate the rule adopted 380  
under division (D) of this section. Whoever violates that rule 381  
is guilty of a misdemeanor of the first degree. 382

**Sec. 153.31.** ~~When~~ (A) Except as provided in division (D) 383  
of this section, when it becomes necessary for the board of 384  
county commissioners of a county to erect or cause to be erected 385  
a public building, or a substructure for a bridge, or an 386  
addition to or alteration thereof, before entering into any 387  
contract therefor or repair thereof or for the supply of any 388  
materials therefor, they shall cause to be made by a registered 389  
architect or registered professional engineer the following: 390

~~(A)~~ (1) Full and accurate plans showing all necessary 391  
details of the work and materials required, with working plans 392  
suitable for the use of mechanics or other builders in the 393  
construction thereof, drawn so as to be easily understood; 394

~~(B)~~ (2) Accurate bills, showing the exact amount of the 395  
different kinds of material, necessary for the construction, to 396  
accompany the plans; 397

~~(C)~~ (3) Full and complete specifications of the work to be 398  
performed showing the manner and style required to be done, with 399  
such directions as will enable a competent builder to carry them 400  
out, and which will afford to bidders all needful information; 401

~~(D)~~ (4) A full and accurate estimate of each item of 402  
expense, and of the aggregate cost thereof. 403

(B) In connection with the planning and construction of 404  
any public building project, the board may employ a construction 405  
project manager or consultants, and fix their compensation. Such 406  
construction project manager or consultants shall be expert and 407

qualified in their respective fields. The cost of such services 408  
may be paid from the proceeds of bonds and notes issued to pay 409  
the cost of such project. 410

(C) This section does not prevent the board from receiving 411  
from bidders on iron or reinforced concrete substructures for 412  
bridges the necessary plans and specifications therefor. 413

(D) Division (A) of this section does not apply to a minor 414  
repair. As used in this division, "minor repair" means the 415  
reconstruction or renewal of any part of an existing building 416  
for the purpose of its maintenance when the work has limited 417  
impact on access, safety, or health. "Minor repair" does not 418  
include any of the following: 419

(1) The cutting away of any wall, partition, or portions 420  
of walls; 421

(2) The removal or cutting of any structural beam or load 422  
bearing support; 423

(3) The removal or change of any required element of 424  
accessibility, means of egress, or rearrangement of parts of a 425  
structure affecting the egress requirements; 426

(4) The addition to, alteration of, replacement of, or 427  
relocation of any standpipe, water supply, sewer, drainage, 428  
drain leader, gas, soil, waste, vent or similar piping, electric 429  
wiring, mechanical work, or other work affecting public health 430  
or general safety. 431

**Sec. 153.35.** The plans and specifications upon which the 432  
contracts are awarded, shall be kept on file in the office of 433  
the ~~county auditor~~ board of county commissioners and made a part 434  
of the contract with the successful bidder. When it is necessary 435  
to alter, repair, or make an addition to a bridge, the board of 436

county commissioners in making contracts therefor, shall conform  
to sections 153.01 to 153.60, inclusive, of the Revised Code, in  
relation to the erection of bridges as nearly as the nature of  
the case will permit.

**Sec. 153.36.** (A) If the plans, drawings, representations,  
bills of material, and specifications of work, and estimates of  
the cost thereof in detail and in the aggregate, required in  
sections 153.31 to 153.35, inclusive, of the Revised Code,  
relate to the building of a courthouse or jail, or an addition  
to or alteration, repair, or improvement thereof, they shall be  
submitted to the board of county commissioners,~~together with.~~  
If the estimated total cost of the project is greater than  
seventy-five thousand dollars, the materials also shall be  
submitted to the clerk of the court of common pleas, the  
sheriff, and probate judge, and one person to be appointed by  
the judge of the court of common pleas, for their approval. ~~If a~~  
project with an estimated total cost greater than seventy-five  
thousand dollars shall not commence unless approved by a  
majority of them, ~~a.~~ A copy thereof of the materials shall be  
~~deposited with the county auditor and kept in his~~ the office of  
the board of county commissioners.

(B) A board of county commissioners may independently  
approve a project described in division (A) of this section that  
has an estimated total cost of seventy-five thousand dollars or  
less. The board may seek the advice of the clerk of the court of  
common pleas, the sheriff, and a probate judge, on the project.

**Sec. 153.37.** If the plans, drawings, representations,  
bills of material, and specifications of work and estimates of  
the cost thereof relate to the building, addition to, or  
alteration of a county home, they shall be submitted to the



board of county commissioners. If approved by a majority of the 467  
board, a copy thereof shall be deposited in the office of the 468  
~~county auditor~~ board of county commissioners and kept for the 469  
inspection and use of parties interested. 470

**Sec. 153.38.** If the plans, drawings, representations, 471  
bills of material, specifications of work, and estimates relate 472  
to the building of a bridge, they shall be submitted to the 473  
board of county commissioners, ~~county auditor,~~ and the county 474  
engineer. If approved by a majority of them, a copy thereof 475  
shall be deposited ~~with in the auditor office of county engineer~~ 476  
and kept for the inspection of parties interested. 477

**Sec. 153.39.** If the plans, drawings, representations, 478  
bills of material, specifications of work, and estimates relate 479  
to the building of a children's home, they shall be submitted to 480  
the board of county commissioners and three citizens of the 481  
county, to be appointed by a resident judge of the court of 482  
common pleas, or a judge residing in the same subdivision of the 483  
judicial district. If approved by a majority of them, a copy 484  
thereof shall be deposited ~~with in the county auditor office of~~ 485  
the board of county commissioners and kept by the ~~auditor board~~ 486  
for the inspection of interested parties. Before such plans are 487  
adopted, they shall be submitted to the department of children 488  
and youth for suggestions and criticism. The boards of counties 489  
composing a district for the purpose of establishing a district 490  
children's home, in letting contracts for the necessary 491  
buildings or the repair or alteration thereof, shall be governed 492  
by the law relating to letting contracts for erecting, 493  
repairing, or altering other public buildings. 494

**Sec. 153.44.** Before work is done or material furnished, 495  
all contracts that exceed ~~one~~ twenty thousand dollars in amount 496

shall be submitted by the board of county commissioners to the 497  
prosecuting attorney of the county. If found ~~by him~~ to be in 498  
accordance with sections 153.01 to 153.60, inclusive, of the 499  
Revised Code, and ~~his~~ a certificate to that effect is indorsed 500  
thereon by the prosecuting attorney, such contracts shall have 501  
full effect, otherwise ~~they~~ the contract shall be void. 502

**Sec. 301.02.** Previous to the presentation of a petition to 503  
the general assembly praying that a new county be erected, or 504  
for the location or relocation of a county seat, notice of the 505  
intention to present such petition shall be given, at least 506  
thirty days before the ensuing session of the general assembly, 507  
by using at least one of the following methods: 508

(A) By advertisement in the print or digital edition of a 509  
newspaper of general circulation in each county from which such 510  
new county is intended to be taken; 511

(B) On the official public notice web site established 512  
under section 125.182 of the Revised Code; 513

(C) On the web site and social media account of each 514  
county from which such new county is intended to be taken. ~~If no~~ 515  
~~newspaper is of general circulation within the county, notice~~ 516  
~~shall be given by advertisement affixed to the door of the house~~ 517  
~~where courts are held for such county, for such period of thirty~~ 518  
~~days. The~~ 519

The notice shall set forth the boundary lines of the new 520  
county, or the place where it is proposed to locate such county 521  
seat. 522

**Sec. 301.15.** Within sixty days after their appointment, 523  
the commissioners provided for by section 301.14 of the Revised 524  
Code, or any two of them, shall assemble at some convenient 525

place in the new county. Twenty days' notice of the time, place,  
and purpose of such meeting shall be given ~~by using at least one~~  
of the following methods:

(A) By publication in a the print or digital edition of a  
newspaper of general circulation in the county;

(B) On the official public notice web site established  
under section 125.182 of the Revised Code, ~~or by being posted in~~  
~~three of the most public places in such county. ;~~

(C) On the web site and social media account of the  
county. ~~When~~

When assembled, after having taken the oath of office  
prescribed by sections 3.22 and 3.23 of the Revised Code, such  
commissioners shall proceed to examine and select the most  
proper place as a seat of justice, as near the center of the  
county as possible, having regard to the situation, extent of  
population, quality of land, and the convenience and interest of  
the inhabitants.

**Sec. 301.28.** (A) As used in this section:

(1) "Financial transaction device" includes a credit card,  
debit card, charge card, or prepaid or stored value card, or  
automated clearinghouse network credit, debit, or e-check entry  
that includes, but is not limited to, accounts receivable and  
internet-initiated, point of purchase, and telephone-initiated  
applications or any other device or method for making an  
electronic payment or transfer of funds.

(2) "County expenses" includes fees, costs, taxes,  
assessments, fines, penalties, payments, or any other expense a  
person owes or otherwise pays to a county office under the  
authority of a county official, other than dog registration and

kennel fees required to be paid under Chapter 955. of the 555  
Revised Code. "County expenses" includes payment to a county 556  
office of money confiscated during the commitment of an 557  
individual to a county jail, of bail, of money for a prisoner's 558  
inmate account, and of money for goods and services obtained by 559  
or for the use of an individual incarcerated by a county 560  
sheriff. "County expenses" includes online financial transaction 561  
device payments made through the official public sheriff sale 562  
web site pursuant to section 2329.153 of the Revised Code. 563

(3) "County official" includes the county auditor, county 564  
treasurer, county engineer, county recorder, county prosecuting 565  
attorney, county sheriff, county coroner, county park district 566  
and board of county commissioners, the clerk of the probate 567  
court, the clerk of the juvenile court, the clerks of court for 568  
all divisions of the courts of common pleas, and the clerk of 569  
the court of common pleas, the clerk of a county-operated 570  
municipal court, and the clerk of a county court. 571

The term "county expenses" includes county expenses owed 572  
to the board of health of the general health district or a 573  
combined health district in the county. If the board of county 574  
commissioners authorizes county expenses to be paid by financial 575  
transaction devices under this section, then the board of health 576  
and the general health district and the combined health district 577  
may accept payments by financial transaction devices under this 578  
section as if the board were a "county official" and the 579  
district were a county office. However, in the case of a general 580  
health district formed by unification of general health 581  
districts under section 3709.10 of the Revised Code, this 582  
entitlement applies only if all the boards of county 583  
commissioners of all counties in the district have authorized 584  
payments to be accepted by financial transaction devices. 585

The term "county expenses" also includes fees for services 586  
and the receipt of gifts to the county law library resources 587  
fund authorized by rules adopted by the county law library 588  
resources board under division (D) of section 307.51 of the 589  
Revised Code. If the board of county commissioners authorizes 590  
county expenses to be paid by financial transaction devices 591  
under this section, then the county law library resources board 592  
may accept payments by financial transaction devices under this 593  
section as if the board were a "county official." 594

The term "county expenses" also includes fees, costs, 595  
assessments, fines, penalties, payments, or any other expense 596  
issued by a court of common pleas that a person owes or 597  
otherwise pays to a county department of probation established 598  
under section 2301.27 of the Revised Code. If the board of 599  
county commissioners authorizes county expenses to be paid by 600  
financial transaction devices under this section, then the 601  
county department of probation may accept payments by financial 602  
transaction devices under this section as if the chief probation 603  
officer or chief probation officer's designee was a "county 604  
official" and the department was a "county office." However, in 605  
the case of a multicounty department of probation, this 606  
entitlement applies only if all the boards of county 607  
commissioners of all counties in the multicounty department have 608  
authorized payments to be accepted by financial transaction 609  
devices. A clerk of the court of common pleas may continue 610  
accepting payments by financial transaction devices for a county 611  
department of probation as authorized under this section. 612

(B) Notwithstanding any other section of the Revised Code 613  
and except as provided in division (D) of this section, a board 614  
of county commissioners may adopt a resolution authorizing the 615  
acceptance of payments by financial transaction devices for 616

county expenses. The resolution shall include the following: 617

(1) A specification of those county officials who, and of 618  
the county offices under those county officials that, are 619  
authorized to accept payments by financial transaction devices; 620

(2) A list of county expenses that may be paid for through 621  
the use of a financial transaction device; 622

(3) Specific identification of financial transaction 623  
devices that the board authorizes as acceptable means of payment 624  
for county expenses. Uniform acceptance of financial transaction 625  
devices among different types of county expenses is not 626  
required. 627

(4) The amount, if any, authorized as a surcharge or 628  
convenience fee under division (E) of this section for persons 629  
using a financial transaction device. Uniform application of 630  
surcharges or convenience fees among different types of county 631  
expenses is not required. 632

(5) A specific provision as provided in division (G) of 633  
this section requiring the payment of a penalty if a payment 634  
made by means of a financial transaction device is returned or 635  
dishonored for any reason. 636

The board's resolution shall also designate the county 637  
treasurer as an administrative agent to solicit proposals, 638  
within guidelines established by the board in the resolution and 639  
in compliance with the procedures provided in division (C) of 640  
this section, from financial institutions, issuers of financial 641  
transaction devices, and processors of financial transaction 642  
devices, to make recommendations about those proposals to the 643  
board, and to assist county offices in implementing the county's 644  
financial transaction devices program. The county treasurer may 645

decline this responsibility within thirty days after receiving a 646  
copy of the board's resolution by notifying the board in writing 647  
within that period. If the treasurer so notifies the board, the 648  
board shall perform the duties of the administrative agent. 649

If the county treasurer is the administrative agent and 650  
fails to administer the county financial transaction devices 651  
program in accordance with the guidelines in the board's 652  
resolution, the board shall notify the treasurer in writing of 653  
the board's findings, explain the failures, and give the 654  
treasurer six months to correct the failures. If the treasurer 655  
fails to make the appropriate corrections within that six-month 656  
period, the board may pass a resolution declaring the board to 657  
be the administrative agent. The board may later rescind that 658  
resolution at its discretion. 659

(C) The county shall follow the procedures provided in 660  
this division whenever it plans to contract with financial 661  
institutions, issuers of financial transaction devices, or 662  
processors of financial transaction devices for the purposes of 663  
this section. The administrative agent shall request proposals 664  
from at least three financial institutions, issuers of financial 665  
transaction devices, or processors of financial transaction 666  
devices, as appropriate in accordance with the resolution 667  
adopted under division (B) of this section. Prior to sending any 668  
financial institution, issuer, or processor a copy of any such 669  
request, the county shall advertise its intent to request 670  
proposals ~~in a newspaper of general circulation in the county~~ 671  
~~once a week for two consecutive weeks or as provided in section~~ 672  
~~7.16 of the Revised Code using at least one of the following~~ 673  
methods: 674

(1) In the print or digital edition of a newspaper of 675

general circulation in the county; 676

(2) On the official public notice web site established 677  
under section 125.182 of the Revised Code; 678

(3) On the web site and social media account of the 679  
county. The 680

The notice shall state that the county intends to request 681  
proposals; specify the purpose of the request; indicate the 682  
date, which shall be at least ten days after the second 683  
publication, on which the request for proposals will be mailed 684  
to financial institutions, issuers, or processors; and require 685  
that any financial institution, issuer, or processor, whichever 686  
is appropriate, interested in receiving the request for 687  
proposals submit written notice of this interest to the county 688  
not later than noon of the day on which the request for 689  
proposals will be mailed. 690

Upon receiving the proposals, the administrative agent 691  
shall review them and make a recommendation to the board of 692  
county commissioners on which proposals to accept. The board of 693  
county commissioners shall consider the agent's recommendation 694  
and review all proposals submitted, and then may choose to 695  
contract with any or all of the entities submitting proposals, 696  
as appropriate. The board shall provide any financial 697  
institution, issuer, or processor that submitted a proposal, but 698  
with which the board does not enter into a contract, notice that 699  
its proposal is rejected. The notice shall state the reasons for 700  
the rejection, indicate whose proposals were accepted, and 701  
provide a copy of the terms and conditions of the successful 702  
bids. 703

(D) A board of county commissioners adopting a resolution 704



under this section shall send a copy of the resolution to each 705  
county official in the county who is authorized by the 706  
resolution to accept payments by financial transaction devices. 707  
After receiving the resolution and before accepting payments by 708  
financial transaction devices, a county official shall provide 709  
written notification to the board of county commissioners of the 710  
official's intent to implement the resolution within the 711  
official's office. Each county office subject to the board's 712  
resolution adopted under division (B) of this section may use 713  
only the financial institutions, issuers of financial 714  
transaction devices, and processors of financial transaction 715  
devices with which the board of county commissioners contracts, 716  
and each such office is subject to the terms of those contracts. 717

If a county office under the authority of a county 718  
official is directly responsible for collecting one or more 719  
county expenses and the county official determines not to accept 720  
payments by financial transaction devices for one or more of 721  
those expenses, the office shall not be required to accept 722  
payments by financial transaction devices, notwithstanding the 723  
adoption of a resolution by the board of county commissioners 724  
under this section. 725

Any office of a clerk of the court of common pleas that 726  
accepts financial transaction devices on or before July 1, 1999, 727  
and any other county office that accepted such devices before 728  
January 1, 1998, may continue to accept such devices without 729  
being subject to any resolution passed by the board of county 730  
commissioners under division (B) of this section, or any other 731  
oversight by the board of the office's financial transaction 732  
devices program. Any such office may use surcharges or 733  
convenience fees in any manner the county official in charge of 734  
the office determines to be appropriate, and, if the county 735

treasurer consents, may appoint the county treasurer to be the 736  
office's administrative agent for purposes of accepting 737  
financial transaction devices. In order not to be subject to the 738  
resolution of the board of county commissioners adopted under 739  
division (B) of this section, a county office shall notify the 740  
board in writing within thirty days after March 30, 1999, that 741  
it accepted financial transaction devices prior to January 1, 742  
1998, or, in the case of the office of a clerk of the court of 743  
common pleas, the clerk has accepted or will accept such devices 744  
on or before July 1, 1999. Each such notification shall explain 745  
how processing costs associated with financial transaction 746  
devices are being paid and shall indicate whether surcharge or 747  
convenience fees are being passed on to consumers. 748

(E) A board of county commissioners may establish a 749  
surcharge or convenience fee that may be imposed upon a person 750  
making payment by a financial transaction device. The surcharge 751  
or convenience fee shall not be imposed unless authorized or 752  
otherwise permitted by the rules prescribed by an agreement 753  
governing the use and acceptance of the financial transaction 754  
device. 755

If a surcharge or convenience fee is imposed, every county 756  
office accepting payment by a financial transaction device, 757  
regardless of whether that office is subject to a resolution 758  
adopted by a board of county commissioners, shall clearly post a 759  
notice in that office and shall notify each person making a 760  
payment by such a device about the surcharge or fee. Notice to 761  
each person making a payment shall be provided regardless of the 762  
medium used to make the payment and in a manner appropriate to 763  
that medium. Each notice shall include all of the following: 764

(1) A statement that there is a surcharge or convenience 765

fee for using a financial transaction device; 766

(2) The total amount of the charge or fee expressed in 767  
dollars and cents for each transaction, or the rate of the 768  
charge or fee expressed as a percentage of the total amount of 769  
the transaction, whichever is applicable; 770

(3) A clear statement that the surcharge or convenience 771  
fee is nonrefundable. 772

(F) If a person elects to make a payment to the county by 773  
a financial transaction device and a surcharge or convenience 774  
fee is imposed, the payment of the surcharge or fee shall be 775  
considered voluntary and the surcharge or fee is not refundable. 776

(G) If a person makes payment by financial transaction 777  
device and the payment is returned or dishonored for any reason, 778  
the person is liable to the county for payment of a penalty over 779  
and above the amount of the expense due. The board of county 780  
commissioners shall determine the amount of the penalty, which 781  
may be either a fee not to exceed twenty dollars or payment of 782  
the amount necessary to reimburse the county for banking 783  
charges, legal fees, or other expenses incurred by the county in 784  
collecting the returned or dishonored payment. The remedies and 785  
procedures provided in this section are in addition to any other 786  
available civil or criminal remedies provided by law. 787

(H) No person making any payment by financial transaction 788  
device to a county office shall be relieved from liability for 789  
the underlying obligation except to the extent that the county 790  
realizes final payment of the underlying obligation in cash or 791  
its equivalent. If final payment is not made by the financial 792  
transaction device issuer or other guarantor of payment in the 793  
transaction, the underlying obligation shall survive and the 794

county shall retain all remedies for enforcement that would have 795  
applied if the transaction had not occurred. 796

(I) A county official or employee who accepts a financial 797  
transaction device payment in accordance with this section and 798  
any applicable state or local policies or rules is immune from 799  
personal liability for the final collection of such payments. 800

**Sec. 301.29.** (A) As used in this section: 801

(1) "Officer" includes an individual who also is an 802  
appointing authority. 803

(2) "Procurement card" means a financial transaction 804  
device as defined in section 301.28 of the Revised Code and as 805  
authorized under this section, but excludes any credit card 806  
authorized under section 301.27 of the Revised Code. 807

(B) A procurement card held by a board of county 808  
commissioners or the office of any other county appointing 809  
authority shall be used only to pay work-related expenses. No 810  
late charges or finance charges shall be allowed as an allowable 811  
expense unless authorized by the board of county commissioners. 812

(C) (1) In any county that chooses to use procurement 813  
cards, the board of county commissioners shall, by resolution, 814  
adopt a policy with the advice of the county auditor, for the 815  
county's use of those cards. The resolution shall include 816  
provisions that limit the use of a procurement card to payment 817  
for one or more specific work-related or specific classes of 818  
work-related expenses, and limit procurement card transactions 819  
to a specific number of transactions per day, month, quarter, or 820  
other specified period as authorized in division (F) (2) of this 821  
section, by supplier or work-related expense. In addition, the 822  
resolution shall limit a procurement card to daily and monthly 823

spending limits. 824

The resolution also shall contain a list of administrative 825  
controls that the board determines, after consulting with the 826  
county auditor, will be sufficient for use of a procurement 827  
card. Those administrative controls shall include at a minimum 828  
the following: 829

(a) An aggregate amount that may be incurred through use 830  
of each card within a day, week, or month; 831

(b) Classes of permissible goods and services that may be 832  
purchased with a procurement card; 833

(c) In case a procurement card is misused, a procedure for 834  
revocation of the card. 835

(2) The county auditor shall develop internal accounting 836  
controls in consultation with the auditor of state for the 837  
implementation of this section. 838

(3) If a board of county commissioners adopts a policy 839  
under division (C)(1) of this section, it shall advertise a 840  
request for proposals from issuers of procurement cards ~~in a~~ 841  
~~newspaper of general circulation within the county~~ at least once 842  
a week for two consecutive weeks using at least one of the 843  
following methods: 844

(a) In the print or digital edition of a newspaper of 845  
general circulation within the county; 846

(b) On the official public notice web site established 847  
under section 125.182 of the Revised Code; 848

(c) Or on the web site and social media account of the 849  
county. ~~The~~ 850

The advertisement shall specify the purpose of the request, the type of procurement card or cards sought, and the date by which proposals must be received. That date shall not be less than ten days after the last day of the second week in which the request is advertised.

~~The board also may post the advertisement by electronic means, including posting the advertisement on the county's internet site on the world wide web. If the advertisement is posted on the county web site, the board may eliminate the second newspaper publication otherwise required by this division if the first notice published in a newspaper of general circulation meets all of the following:~~

~~(a) It is published at least two weeks before the date required for the receipt of the proposals.~~

~~(b) It includes a statement that the notice is posted on the county's internet site on the world wide web.~~

~~(c) It includes the county's internet address on the world wide web.~~

~~(d) It provides instruction for accessing the advertisement on the county web site.~~

The board shall determine upon the advice of the county auditor and county treasurer whether to contract with any one or more issuers that submit a timely proposal. Before entering into a contract, the board shall adopt a resolution stating the contract's intent and guidelines consistent with divisions (C) (1) and (2) of this section for the use of each procurement card.

(D) A county appointing authority may apply to the board of county commissioners for authorization to have an officer or

employee of the appointing authority use a procurement card held 880  
by that appointing authority. The authorization request shall 881  
state whether the card is to be issued only in the name of the 882  
office of the appointing authority or whether the issued card 883  
also shall include the name of a specified officer or employee. 884

(E) The debt incurred as a result of the use of a 885  
procurement card under this section shall be paid from moneys 886  
appropriated to specific appropriation line items of the 887  
appointing authority. 888

(F) (1) Except as otherwise provided in division (F) (2) of 889  
this section, every officer or employee authorized to use a 890  
procurement card held by the board or appointing authority shall 891  
submit to the board by the first day of each month an estimate 892  
of the officer's or employee's work-related expenses for that 893  
month, unless the board authorizes, by resolution, the officer 894  
or employee to submit to the board such an estimate for a period 895  
longer than one month. The board may revise the estimate and 896  
determine the amount it approves, if any, not to exceed the 897  
estimated amount. The board shall certify the amount of its 898  
determination to the county auditor along with the specific 899  
appropriation line items from which the expenditures are to be 900  
made. After receiving certification pursuant to division (D) of 901  
section 5705.41 of the Revised Code that the specific 902  
appropriation line item for which the procurement card is 903  
approved for use is free from previous and then-outstanding 904  
obligations or certifications, the board shall authorize the 905  
officer or employee to incur debt for the expenses against the 906  
county's credit up to the authorized amount. 907

(2) In lieu of following the procedure set forth in 908  
division (F) (1) of this section, a board of county commissioners 909

may adopt a resolution authorizing an officer or employee of an 910  
appointing authority to use a county procurement card to pay for 911  
specific classes of work-related expenses, or to use a specific 912  
procurement card for any work-related expenses, without 913  
submitting an estimate of those expenses to the board as 914  
required by division (F)(1) of this section. Prior to adopting 915  
the resolution, the board shall notify the county auditor. The 916  
resolution shall specify whether the officer's or employee's 917  
exemption extends to the use of a specific procurement card, 918  
which card shall be identified by its number, or to one or more 919  
specific work-related uses. Before any procurement card issued 920  
for specific uses may be used to make purchases for uses other 921  
than those specific uses listed in the resolution, the 922  
procedures outlined in division (F)(1) of this section must be 923  
followed or the use shall be considered an unauthorized use. Use 924  
of any procurement card under division (F)(2) of this section 925  
shall be limited to the amount appropriated and encumbered in a 926  
specific appropriation line item for the permitted use or uses 927  
designated in the authorizing resolution, or, in the case of a 928  
resolution that authorizes use of a specific procurement card, 929  
for any work-related expense, but only to the extent the moneys 930  
in those specific appropriation line items are not otherwise 931  
encumbered. 932

(3) A procurement card shall not be used in any manner 933  
that circumvents the competitive bidding requirements of section 934  
307.86 of the Revised Code. 935

(G)(1) Any time a county procurement card approved for use 936  
for an authorized amount under division (F)(1) of this section 937  
is used for more than that authorized amount, the appointing 938  
authority may request the board of county commissioners to 939  
authorize after the fact the expenditure of any amount charged 940



beyond the originally authorized amount if, upon the board's request, the county auditor certifies that sum of money is in the treasury or in the process of collection to the credit of the appropriate appropriation line item for which the procurement card was used, and is free from previous and then-outstanding obligations or certifications. If the card is used for more than the amount originally authorized and if for any reason that amount is not authorized after the fact, the county treasury shall be reimbursed for any amount spent beyond the originally authorized amount in the following manner:

(a) If the card is issued in the name of a specific officer or employee, the officer or employee is liable in person and upon any official bond the officer or employee has given to the county to reimburse the county treasury for the amount charged to the county beyond the originally authorized amount.

(b) If the card is issued to the office of the appointing authority, the appointing authority is liable in person and upon any official bond the appointing authority has given to the county for the amount charged to the county beyond the originally authorized amount.

(2) No user of a county procurement card authorized for use under division (F)(2) of this section shall use the card for any expenditure that is more than the amount appropriated under that division. If at any time a county procurement card authorized for use under division (F)(2) of this section is used for more than the amount appropriated under that division, the appointing authority may request the board of county commissioners to issue a supplemental appropriation or make a transfer to the specific appropriation line items as permitted in section 5705.40 of the Revised Code, to cover the amount

charged beyond the originally appropriated amount. If the card 971  
is used for more than the amount originally appropriated and if 972  
for any reason that amount is not appropriated or transferred as 973  
permitted by this division, the county treasury shall be 974  
reimbursed for any amount spent beyond the originally 975  
appropriated amount in the following manner: 976

(a) If the card is issued in the name of a specific 977  
officer or employee, the officer or employee is liable in person 978  
and upon any official bond the officer or employee has given to 979  
the county for reimbursing the county treasury for any amount 980  
charged on the card beyond the originally appropriated amount. 981

(b) If the card is issued in the name of the office of the 982  
appointing authority, the appointing authority is liable in 983  
person and upon any official bond the appointing authority has 984  
given to the county for reimbursement for any amount charged on 985  
the card beyond the originally appropriated amount. 986

(3) Whenever any officer or employee who is authorized to 987  
use a procurement card held by the board or the office of any 988  
other county appointing authority suspects the loss, theft, or 989  
possibility of unauthorized or unlawful use of the card, the 990  
officer or employee shall notify the county auditor and the 991  
officer's or employee's appointing authority or the board 992  
immediately and in writing. 993

(4) If the county auditor determines there has been a 994  
procurement card expenditure beyond the appropriated or 995  
authorized amount as provided in division (F) of this section, 996  
or for an unlawful purpose, the auditor immediately shall notify 997  
the board of county commissioners. When the board determines, on 998  
its own or after notification from the county auditor, that the 999  
county treasury should be reimbursed for procurement card 1000

expenditures beyond the appropriated or authorized amount as 1001  
provided in divisions (G) (1) and (2) of this section, it shall 1002  
give written notice to the county auditor and to the officer or 1003  
employee or appointing authority liable to the treasury as 1004  
provided in those divisions. If, within thirty days after 1005  
issuance of this written notice, the county treasury is not 1006  
reimbursed for the amount shown on the written notice, the 1007  
prosecuting attorney of the county shall recover that amount 1008  
from the officer or employee or appointing authority who is 1009  
liable under this section by civil action in any court of 1010  
appropriate jurisdiction. 1011

(H) Use of a county procurement card for any use other 1012  
than those permitted under division (B) of this section is a 1013  
violation of law for the purposes of section 2913.21 of the 1014  
Revised Code. 1015

**Sec. 303.06.** Before certifying its recommendations of a 1016  
zoning plan to the board of county commissioners, the county 1017  
rural zoning commission shall hold at least one public hearing 1018  
in each township affected by the proposed zoning plan, notice of 1019  
which shall be given by one publication ~~in one or more~~ 1020  
~~newspapers of general circulation in the township~~ at least 1021  
thirty days before the date of such hearing using at least one 1022  
of the following methods: 1023

(A) In the print or digital edition of a newspaper of 1024  
general circulation in the township; 1025

(B) On the official public notice web site established 1026  
under section 125.182 of the Revised Code; 1027

(C) On the web site and social media account of the 1028  
county. The 1029

The notice shall state the place and time at which the 1030  
text and maps of the proposed zoning resolution may be examined. 1031

**Sec. 303.08.** After receiving the certification of a zoning 1032  
plan from the county rural zoning commission, and before 1033  
adoption of any such zoning resolution, the board of county 1034  
commissioners shall hold a public hearing on the resolution~~7.~~ 1035  
The board shall provide at least thirty days' notice of the time 1036  
and place of ~~which shall be given the hearing by~~ one publication 1037  
~~in using at least one of the following methods:~~ 1038

(A) In the print or digital edition of a newspaper of 1039  
general circulation in the county; 1040

(B) On the official public notice web site established 1041  
under section 125.182 of the Revised Code; 1042

(C) On the web site and social media account of the 1043  
county. 1044

**Sec. 303.09.** No change in or departure from the text or 1045  
maps as certified by the county rural zoning commission, shall 1046  
be made by the board of county commissioners unless it is first 1047  
resubmitted to the county rural zoning commission for approval, 1048  
disapproval, or suggestions. Upon receipt of the recommendations 1049  
of the county rural zoning commission regarding the proposed 1050  
changes, the board of county commissioners shall hold a second 1051  
public hearing, at least ten days notice of the time and place 1052  
of which shall be given by one publication ~~in using at least one~~ 1053  
of the following methods: 1054

(A) In the print or digital edition of one or more 1055  
newspapers of general circulation in the townships affected; 1056

(B) On the official public notice web site established 1057  
under section 125.182 of the Revised Code; 1058

(C) On the web site and social media account of the 1059  
county. ~~If~~ 1060

If such changes are disapproved by the zoning commission, 1061  
the provision so disapproved must receive the favorable vote of 1062  
the entire membership of the board of county commissioners in 1063  
order to be adopted. 1064

**Sec. 303.12.** (A) (1) Amendments to the zoning resolution 1065  
may be initiated by motion of the county rural zoning 1066  
commission, by the passage of a resolution by the board of 1067  
county commissioners, or by the filing of an application by one 1068  
or more of the owners or lessees of property within the area 1069  
proposed to be changed or affected by the proposed amendment 1070  
with the county rural zoning commission. The board of county 1071  
commissioners may require that the owner or lessee of property 1072  
filing an application to amend the zoning resolution pay a fee 1073  
to defray the cost of advertising, mailing, filing with the 1074  
county recorder, and other expenses. If the board of county 1075  
commissioners requires such a fee, it shall be required 1076  
generally, for each application. The board of county 1077  
commissioners, upon the passage of such a resolution, shall 1078  
certify it to the county rural zoning commission. 1079

(2) Upon the adoption of a motion by the county rural 1080  
zoning commission, the certification of a resolution by the 1081  
board of county commissioners to the commission, or the filing 1082  
of an application by property owners or lessees as described in 1083  
division (A) (1) of this section with the commission, the 1084  
commission shall set a date for a public hearing, which date 1085  
shall not be less than twenty nor more than forty days from the 1086  
date of adoption of such a motion, the date of the certification 1087  
of such a resolution, or the date of the filing of such an 1088

application. Notice of the hearing shall be given by the 1089  
commission by one publication ~~in one or more newspapers of~~ 1090  
~~general circulation in each township affected by the proposed~~ 1091  
~~amendment~~ at least ten days before the date of the hearing, 1092  
using at least one of the following methods: 1093

(a) In the print or digital edition of one or more 1094  
newspapers of general circulation in each township affected by 1095  
the proposed amendment; 1096

(b) On the official public notice web site established 1097  
under section 125.182 of the Revised Code; 1098

(c) On the web site and social media account of the 1099  
county. 1100

(B) If the proposed amendment intends to rezone or 1101  
redistrict ten or fewer parcels of land, as listed on the county 1102  
auditor's current tax list, written notice of the hearing shall 1103  
be mailed by the county rural zoning commission, by first class 1104  
mail, at least ten days before the date of the public hearing to 1105  
all owners of property within and contiguous to and directly 1106  
across the street from the area proposed to be rezoned or 1107  
redistricted to the addresses of those owners appearing on the 1108  
county auditor's current tax list. The failure of delivery of 1109  
that notice shall not invalidate any such amendment. 1110

(C) If the proposed amendment intends to rezone or 1111  
redistrict ten or fewer parcels of land as listed on the county 1112  
auditor's current tax list, the published and mailed notices 1113  
shall set forth the time, date, and place of the public hearing 1114  
and include all of the following: 1115

(1) The name of the county rural zoning commission that 1116  
will be conducting the hearing; 1117

(2) A statement indicating that the motion, resolution, or 1118  
application is an amendment to the zoning resolution; 1119

(3) A list of the addresses of all properties to be 1120  
rezoned or redistricted by the proposed amendment and of the 1121  
names of owners of these properties, as they appear on the 1122  
county auditor's current tax list; 1123

(4) The present zoning classification of property named in 1124  
the proposed amendment and the proposed zoning classification of 1125  
that property; 1126

(5) The time and place where the motion, resolution, or 1127  
application proposing to amend the zoning resolution will be 1128  
available for examination for a period of at least ten days 1129  
prior to the hearing; 1130

(6) The name of the person responsible for giving notice 1131  
of the public hearing by publication, by mail, or by both 1132  
publication and mail; 1133

(7) A statement that, after the conclusion of the hearing, 1134  
the matter will be submitted to the board of county 1135  
commissioners for its action; 1136

(8) Any other information requested by the commission. 1137

(D) If the proposed amendment alters the text of the 1138  
zoning resolution, or rezones or redistricts more than ten 1139  
parcels of land as listed on the county auditor's current tax 1140  
list, the published notice shall set forth the time, date, and 1141  
place of the public hearing and include all of the following: 1142

(1) The name of the county rural zoning commission that 1143  
will be conducting the hearing on the proposed amendment; 1144

(2) A statement indicating that the motion, application, 1145

or resolution is an amendment to the zoning resolution; 1146

(3) The time and place where the text and maps of the 1147  
proposed amendment will be available for examination for a 1148  
period of at least ten days prior to the hearing; 1149

(4) The name of the person responsible for giving notice 1150  
of the hearing by publication; 1151

(5) A statement that, after the conclusion of the hearing, 1152  
the matter will be submitted to the board of county 1153  
commissioners for its action; 1154

(6) Any other information requested by the commission. 1155

Hearings shall be held in the county court house or in a 1156  
public place designated by the commission. 1157

(E) Within five days after the adoption of the motion 1158  
described in division (A) of this section, the certification of 1159  
the resolution described in division (A) of this section, or the 1160  
filing of the application described in division (A) of this 1161  
section, the county rural zoning commission shall transmit a 1162  
copy of it together with text and map pertaining to it to the 1163  
county or regional planning commission, if there is such a 1164  
commission. 1165

The county or regional planning commission shall recommend 1166  
the approval or denial of the proposed amendment or the approval 1167  
of some modification of it and shall submit its recommendation 1168  
to the county rural zoning commission. The recommendation shall 1169  
be considered at the public hearing held by the county rural 1170  
zoning commission on the proposed amendment. 1171

The county rural zoning commission, within thirty days 1172  
after the hearing, shall recommend the approval or denial of the 1173



proposed amendment, or the approval of some modification of it, 1174  
and shall submit that recommendation together with the motion, 1175  
application, or resolution involved, the text and map pertaining 1176  
to the proposed amendment, and the recommendation of the county 1177  
or regional planning commission on it to the board of county 1178  
commissioners. 1179

The board of county commissioners, upon receipt of that 1180  
recommendation, shall set a time for a public hearing on the 1181  
proposed amendment, which date shall be not more than thirty 1182  
days from the date of the receipt of that recommendation. Notice 1183  
of the hearing shall be given by the board by one publication ~~in~~ 1184  
~~one or more newspapers of general circulation in the county,~~ at 1185  
least ten days before the date of the hearing, using at least 1186  
one of the following methods: 1187

(1) In the print or digital edition of one or more 1188  
newspapers of general circulation in the county; 1189

(2) On the official public notice web site established 1190  
under section 125.182 of the Revised Code; 1191

(3) On the web site and social media account of the 1192  
county. 1193

(F) If the proposed amendment intends to rezone or 1194  
redistrict ten or fewer parcels of land as listed on the county 1195  
auditor's current tax list, the published notice shall set forth 1196  
the time, date, and place of the public hearing and include all 1197  
of the following: 1198

(1) The name of the board of county commissioners that 1199  
will be conducting the hearing; 1200

(2) A statement indicating that the motion, application, 1201  
or resolution is an amendment to the zoning resolution; 1202

(3) A list of the addresses of all properties to be 1203  
rezoned or redistricted by the proposed amendment and of the 1204  
names of owners of those properties, as they appear on the 1205  
county auditor's current tax list; 1206

(4) The present zoning classification of property named in 1207  
the proposed amendment and the proposed zoning classification of 1208  
that property; 1209

(5) The time and place where the motion, application, or 1210  
resolution proposing to amend the zoning resolution will be 1211  
available for examination for a period of at least ten days 1212  
prior to the hearing; 1213

(6) The name of the person responsible for giving notice 1214  
of the hearing by publication, by mail, or by both publication 1215  
and mail; 1216

(7) Any other information requested by the board. 1217

(G) If the proposed amendment alters the text of the 1218  
zoning resolution, or rezones or redistricts more than ten 1219  
parcels of land as listed on the county auditor's current tax 1220  
list, the published notice shall set forth the time, date, and 1221  
place of the public hearing and include all of the following: 1222

(1) The name of the board of county commissioners that 1223  
will be conducting the hearing on the proposed amendment; 1224

(2) A statement indicating that the motion, application, 1225  
or resolution is an amendment to the zoning resolution; 1226

(3) The time and place where the text and maps of the 1227  
proposed amendment will be available for examination for a 1228  
period of at least ten days prior to the hearing; 1229

(4) The name of the person responsible for giving notice 1230

of the hearing by publication; 1231

(5) Any other information requested by the board. 1232

(H) Within twenty days after its public hearing, the board 1233  
of county commissioners shall either adopt or deny the 1234  
recommendation of the county rural zoning commission or adopt 1235  
some modification of it. If the board denies or modifies the 1236  
commission's recommendation, a majority vote of the board shall 1237  
be required. 1238

The proposed amendment, if adopted by the board, shall 1239  
become effective in thirty days after the date of its adoption, 1240  
unless, within thirty days after the adoption, there is 1241  
presented to the board of county commissioners a petition, 1242  
signed by a number of qualified voters residing in the 1243  
unincorporated area of the township or part of that 1244  
unincorporated area included in the zoning plan equal to not 1245  
less than eight per cent of the total vote cast for all 1246  
candidates for governor in that area at the most recent general 1247  
election at which a governor was elected, requesting the board 1248  
to submit the amendment to the electors of that area for 1249  
approval or rejection at a special election to be held on the 1250  
day of the next primary or general election occurring at least 1251  
ninety days after the petition is submitted. Each part of this 1252  
petition shall contain the number and the full and correct 1253  
title, if any, of the zoning amendment resolution, motion, or 1254  
application, furnishing the name by which the amendment is known 1255  
and a brief summary of its contents. In addition to meeting the 1256  
requirements of this section, each petition shall be governed by 1257  
the rules specified in section 3501.38 of the Revised Code. 1258

The form of a petition calling for a zoning referendum and 1259  
the statement of the circulator shall be substantially as 1260

follows: 1261

"PETITION FOR ZONING REFERENDUM 1262

(if the proposal is identified by a particular name or number, 1263

or both, these should be inserted here) \_\_\_\_\_ 1264

A proposal to amend the zoning map of the unincorporated 1265

area of \_\_\_\_\_ Township, \_\_\_\_\_ County, 1266

Ohio, adopted \_\_\_\_\_ (date) \_\_\_\_\_ (followed by brief 1267

summary of the proposal). 1268

To the Board of County Commissioners of \_\_\_\_\_ 1269

County, Ohio: 1270

We, the undersigned, being electors residing in the 1271

unincorporated area of \_\_\_\_\_ Township, included within 1272

the \_\_\_\_\_ County Zoning Plan, equal to not less than 1273

eight per cent of the total vote cast for all candidates for 1274

governor in the area at the preceding general election at which 1275

a governor was elected, request the Board of County 1276

Commissioners to submit this amendment of the zoning resolution 1277

to the electors of \_\_\_\_\_ Township residing within the 1278

unincorporated area of the township included in the 1279

\_\_\_\_\_ County Zoning Resolution, for approval or 1280

rejection at a special election to be held on the day of the 1281

next primary or general election to be held on 1282

\_\_\_\_\_ (date) \_\_\_\_\_, pursuant to section 303.12 of the Revised 1283

Code. 1284

Street Address Date of 1285

Signature or R.F.D. Township Precinct County Signing 1286

\_\_\_\_\_ 1287

\_\_\_\_\_ 1288

STATEMENT OF CIRCULATOR

I, \_\_\_\_\_ (name of circulator) \_\_\_\_\_, 1289  
declare under penalty of election falsification that I am an 1290  
elector of the state of Ohio and reside at the address appearing 1291  
below my signature; that I am the circulator of the foregoing 1292  
part petition containing \_\_\_\_\_ (number) \_\_\_\_\_ signatures; that I 1293  
have witnessed the affixing of every signature; that all signers 1294  
were to the best of my knowledge and belief qualified to sign; 1295  
and that every signature is to the best of my knowledge and 1296  
belief the signature of the person whose signature it purports 1297  
to be or of an attorney in fact acting pursuant to section 1298  
3501.382 of the Revised Code. 1299  
1300

\_\_\_\_\_  
1301

(Signature of circulator) 1302

\_\_\_\_\_  
1303

(Address of circulator's 1304  
permanent residence in this 1305  
state) 1306

\_\_\_\_\_  
1307

(City, village, or township, 1308  
and zip code) 1309

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1310  
FELONY OF THE FIFTH DEGREE." 1311

No amendment for which such a referendum vote has been 1312  
requested shall be put into effect unless a majority of the vote 1313  
cast on the issue is in favor of the amendment. Upon 1314  
certification by the board of elections that the amendment has 1315  
been approved by the voters, it shall take immediate effect. 1316

Within five working days after an amendment's effective 1317  
date, the board of county commissioners shall file the text and 1318  
maps of the amendment in the office of the county recorder and 1319  
with the regional or county planning commission, if one exists. 1320

The failure to file any amendment, or any text and maps, 1321  
or duplicates of any of these documents, with the office of the 1322  
county recorder or the county or regional planning commission as 1323  
required by this section does not invalidate the amendment and 1324  
is not grounds for an appeal of any decision of the board of 1325  
zoning appeals. 1326

**Sec. 303.15.** The county board of zoning appeals shall 1327  
organize and adopt rules in accordance with the zoning 1328  
resolution. Meetings of the board of zoning appeals shall be 1329  
held at the call of the chairperson, and at such other times as 1330  
the board determines. The chairperson, or in the chairperson's 1331  
absence the acting chairperson, may administer oaths, and the 1332  
board of zoning appeals may compel the attendance of witnesses. 1333  
All meetings of the board of zoning appeals shall be open to the 1334  
public. The board of zoning appeals shall keep minutes of its 1335  
proceedings showing the vote of each regular or alternate member 1336  
upon each question, or, if absent or failing to vote, indicating 1337  
such fact, and shall keep records of its examinations and other 1338  
official actions, all of which shall be immediately filed in the 1339  
office of the board of county commissioners and be a public 1340  
record. 1341

Appeals to the board of zoning appeals may be taken by any 1342  
person aggrieved or by any officer of the county affected by any 1343  
decision of the administrative officer. Such appeal shall be 1344  
taken within twenty days after the decision by filing, with the 1345  
officer from whom the appeal is taken and with the board of 1346

zoning appeals, a notice of appeal specifying the grounds. The 1347  
officer from whom the appeal is taken shall transmit to the 1348  
board of zoning appeals all the papers constituting the record 1349  
upon which the action appealed from was taken. 1350

The board of zoning appeals shall fix a reasonable time 1351  
for the public hearing of the appeal, give at least ten days' 1352  
notice in writing to the parties in interest, and give notice of 1353  
such public hearing by one publication ~~in one or more newspapers~~ 1354  
~~of general circulation in the county~~ at least ten days before 1355  
the date of such hearing, ~~and decide the appeal within a~~ 1356  
~~reasonable time after it is submitted~~ using at least one of the 1357  
following methods: 1358

(A) In the print or digital edition of a newspaper of 1359  
general circulation within the county; 1360

(B) On the official public notice web site established 1361  
under section 125.182 of the Revised Code; 1362

(C) On the web site and social media account of the 1363  
county. Upon 1364

Upon the hearing, any person may appear in person or by 1365  
attorney. 1366

The boards of zoning appeals shall decide the appeal 1367  
within a reasonable time after it is submitted. 1368

**Sec. 303.32.** The board of county commissioners shall hold 1369  
a public hearing on a county renewal project. Publication of the 1370  
hearing shall be made on at least two successive days by the 1371  
board at least fifteen days ~~prior to before~~ the scheduled 1372  
hearing date ~~in~~, using at least one of the following methods: 1373

(A) In the print or digital edition of a newspaper having 1374

general circulation in the county; 1375

(B) On the official public notice web site established 1376  
under section 125.182 of the Revised Code; 1377

(C) On the web site and social media account of the 1378  
county. The 1379

The notice shall describe the time, date, place, and 1380  
purpose of the hearing; shall generally identify the county 1381  
renewal area covered by the county renewal plan; and shall 1382  
outline the general scope of the county renewal project under 1383  
consideration. 1384

**Sec. 303.58.** (A) The board of county commissioners may 1385  
adopt a resolution designating all or part of the unincorporated 1386  
area of a county as a restricted area, prohibiting the 1387  
construction of any or all of the following: 1388

(1) An economically significant wind farm; 1389

(2) A large wind farm; 1390

(3) A large solar facility. 1391

(B) A resolution described in division (A) of this section 1392  
may designate one or more restricted areas and shall fix 1393  
restricted area boundaries within the unincorporated area of the 1394  
county. 1395

(C) (1) The board may adopt a resolution designating a 1396  
restricted area at a regular meeting of the board or at a 1397  
special meeting called for the purpose of discussing such a 1398  
resolution. 1399

(2) At least thirty days prior to the meeting at which a 1400  
resolution to designate a restricted area will be discussed, the 1401



board shall do all of the following: 1402

(a) Provide public notice of the date and time of the 1403  
meeting by one publication ~~in~~ using at least one of the 1404  
following methods: 1405

(i) In the print or digital edition of a newspaper of 1406  
general circulation within the county; 1407

(ii) On the official public notice web site established 1408  
under section 125.182 of the Revised Code; 1409

(iii) On the web site and social media account of the 1410  
county. 1411

(b) Publicly post a map showing the boundaries of the 1412  
proposed restricted area at all public libraries within the 1413  
county; 1414

(c) Provide written notice of the meeting, by first class 1415  
mail, to all school districts, municipal corporations, and 1416  
boards of township trustees located in whole, or in part, within 1417  
the boundaries of the proposed restricted area. 1418

(3) The board shall comply with the requirements of 1419  
divisions (C) (1) and (2) of this section before the board 1420  
modifies a resolution it previously adopted under this section. 1421

(D) Any resolution designating a restricted area shall 1422  
include a map of the restricted area, as well as texts 1423  
sufficient to identify all boundaries of the restricted area. A 1424  
copy of the resolution and any accompanying texts and maps shall 1425  
be filed with the office of the county recorder of the county. 1426

(E) A resolution adopted under this section shall not 1427  
affect the construction of a utility facility that was presented 1428  
to the board of county commissioners under section 303.61 of the 1429

Revised Code, and the board did not adopt a resolution 1430  
prohibiting the facility within the time required under section 1431  
303.62 of the Revised Code. 1432

**Sec. 307.022.** (A) The board of county commissioners of any 1433  
county may do both of the following without following the 1434  
competitive bidding requirements of section 307.86 of the 1435  
Revised Code: 1436

(1) Enter into a lease, including a lease with an option 1437  
to purchase, of correctional facilities for a term not in excess 1438  
of forty years. Before entering into the lease, the board shall 1439  
~~publish, once a week for three consecutive weeks in a newspaper~~ 1440  
~~of general circulation in the county or as provided in section~~ 1441  
~~7.16 of the Revised Code,~~ a notice that the board is accepting 1442  
proposals for a lease pursuant to this division once a week for 1443  
three consecutive weeks using at least one of the following 1444  
methods: 1445

(a) In the print or digital edition of a newspaper of 1446  
general circulation in the county; 1447

(b) On the official public notice web site established 1448  
under section 125.182 of the Revised Code; 1449

(c) On the web site and social media account of the 1450  
county. The 1451

The notice shall state the date before which the proposals 1452  
are required to be submitted in order to be considered by the 1453  
board. 1454

(2) Subject to compliance with this section, grant leases, 1455  
easements, and licenses with respect to, or sell, real property 1456  
owned by the county if the real property is to be leased back by 1457  
the county for use as correctional facilities. 1458

The lease under division (A) (1) of this section shall 1459  
require the county to contract, in accordance with Chapter 153., 1460  
sections 307.86 to 307.92, and Chapter 4115. of the Revised 1461  
Code, for the construction, improvement, furnishing, and 1462  
equipping of correctional facilities to be leased pursuant to 1463  
this section. Prior to the board's execution of the lease, it 1464  
may require the lessor under the lease to cause sufficient money 1465  
to be made available to the county to enable the county to 1466  
comply with the certification requirements of division (D) of 1467  
section 5705.41 of the Revised Code. 1468

A lease entered into pursuant to division (A) (1) of this 1469  
section by a board may provide for the county to maintain and 1470  
repair the correctional facility during the term of the 1471  
leasehold, may provide for the county to make rental payments 1472  
prior to or after occupation of the correctional facilities by 1473  
the county, and may provide for the board to obtain and maintain 1474  
any insurance that the lessor may require, including, but not 1475  
limited to, public liability, casualty, builder's risk, and 1476  
business interruption insurance. The obligations incurred under 1477  
a lease entered into pursuant to division (A) (1) of this section 1478  
shall not be considered to be within the debt limitations of 1479  
section 133.07 of the Revised Code. 1480

(B) The correctional facilities leased under division (A) 1481  
(1) of this section may include any or all of the following: 1482

(1) Facilities in which one or more other governmental 1483  
entities are participating or in which other facilities of the 1484  
county are included; 1485

(2) Facilities acquired, constructed, or renovated by or 1486  
on behalf of the department of rehabilitation and correction or 1487  
the department of administrative services, or financed by the 1488

treasurer of state, and leased to the county pursuant to section 1489  
307.021 of the Revised Code; 1490

(3) Correctional facilities that are under construction or 1491  
have been completed and for which no permanent financing has 1492  
been arranged. 1493

(C) As used in this section: 1494

(1) "Correctional facilities" includes, but is not limited 1495  
to, jails, detention facilities, workhouses, community-based 1496  
correctional facilities, and family court centers. 1497

(2) "Construction" has the same meaning as in division (B) 1498  
of section 4115.03 of the Revised Code. 1499

**Sec. 307.041.** (A) As used in this section, "energy 1500  
conservation measure" means an installation or modification of 1501  
an installation in, or remodeling of, an existing building, to 1502  
reduce energy consumption. "Energy conservation measure" 1503  
includes the following: 1504

(1) Insulation of the building structure and of systems 1505  
within the building; 1506

(2) Storm windows and doors, multiglazed windows and 1507  
doors, heat-absorbing or heat-reflective glazed and coated 1508  
window and door systems, additional glazing, reductions in glass 1509  
area, and other window and door system modifications that reduce 1510  
energy consumption; 1511

(3) Automatic energy control systems; 1512

(4) Heating, ventilating, or air conditioning system 1513  
modifications or replacements; 1514

(5) Caulking and weatherstripping; 1515

(6) Replacement or modification of lighting fixtures to 1516  
increase the energy efficiency of the system without increasing 1517  
the overall illumination of a facility, unless such an increase 1518  
in illumination is necessary to conform to the applicable state 1519  
or local building code for the proposed lighting system; 1520

(7) Energy recovery systems; 1521

(8) Cogeneration systems that produce steam or forms of 1522  
energy such as heat, as well as electricity, for use primarily 1523  
within a building or complex of buildings; 1524

(9) Acquiring, constructing, furnishing, equipping, 1525  
improving the site of, and otherwise improving a central utility 1526  
plant to provide heating and cooling services to a building or 1527  
buildings together with distribution piping and ancillary 1528  
distribution controls, equipment, and related facilities from 1529  
the central utility plant to the building or buildings; 1530

(10) Any other modification, installation, or remodeling 1531  
approved by the board of county commissioners as an energy 1532  
conservation measure. 1533

(B) For the purpose of evaluating county buildings for 1534  
energy conservation measures, a county may contract with an 1535  
architect, professional engineer, energy services company, 1536  
contractor, or other person experienced in the design and 1537  
implementation of energy conservation measures for an energy 1538  
conservation report. The report shall include all of the 1539  
following: 1540

(1) Analyses of the buildings' energy needs and 1541  
recommendations for building installations, modifications of 1542  
existing installations, or building remodeling that would 1543  
significantly reduce energy consumption in the buildings owned 1544

by that county; 1545

(2) Estimates of all costs of those installations, those 1546  
modifications, or that remodeling, including costs of design, 1547  
engineering, installation, maintenance, and repairs; 1548

(3) Estimates of the amounts by which energy consumption 1549  
could be reduced; 1550

(4) The interest rate used to estimate the costs of any 1551  
energy conservation measures that are to be financed; 1552

(5) The average system life of the energy conservation 1553  
measures; 1554

(6) Estimates of the likely savings that will result from 1555  
the reduction in energy consumption over the average system life 1556  
of the energy conservation measure, including the methods used 1557  
to estimate the savings; 1558

(7) A certification under the seal of a registered 1559  
professional engineer that the energy conservation report uses 1560  
reasonable methods of analysis and estimation. 1561

(C) (1) A county desiring to implement energy conservation 1562  
measures may proceed under either of the following methods: 1563

(a) Using a report or any part of an energy conservation 1564  
report prepared under division (B) of this section, advertise 1565  
for bids and, except as otherwise provided in this section, 1566  
comply with sections 307.86 to 307.92 of the Revised Code; 1567

(b) Notwithstanding sections 307.86 to 307.92 of the 1568  
Revised Code, request proposals from at least three vendors for 1569  
the implementation of energy conservation measures. A request 1570  
for proposals shall require the installer that is awarded a 1571  
contract under division (C) (2) (b) of this section to prepare an 1572

energy conservation report in accordance with division (B) of 1573  
this section. Prior to sending any installer of energy 1574  
conservation measures a copy of any request for proposals, the 1575  
county shall advertise its intent to request proposals for the 1576  
installation of energy conservation measures ~~in a newspaper of~~ 1577  
~~general circulation in the county~~ once a week for two 1578  
consecutive weeks ~~or as provided in section 7.16 of the Revised~~ 1579  
~~Code,~~ using at least one of the following methods: 1580

(i) In the print or digital edition of a newspaper of 1581  
general circulation in the county; 1582

(ii) On the official public notice web site established 1583  
under section 125.182 of the Revised Code; 1584

(iii) On the web site and social media account of the 1585  
county. The 1586

The notice shall state that the county intends to request 1587  
proposals for the installation of energy conservation measures; 1588  
indicate the date, which shall be at least ten days after the 1589  
~~second~~ publication, on which the request for proposals will be 1590  
mailed to installers of energy conservation measures; and state 1591  
that any installer of energy conservation measures interested in 1592  
receiving the request for proposals shall submit written notice 1593  
to the county not later than noon of the day on which the 1594  
request for proposals will be mailed. 1595

(2) (a) Upon receiving bids under division (C) (1) (a) of 1596  
this section, the county shall analyze them and select the 1597  
lowest and best bid or bids most likely to result in the 1598  
greatest energy savings considering the cost of the project and 1599  
the county's ability to pay for the improvements with current 1600  
revenues or by financing the improvements. 1601

(b) Upon receiving proposals under division (C) (1) (b) of 1602  
this section, the county shall analyze the proposals and the 1603  
installers' qualifications and select the most qualified 1604  
installer to prepare an energy conservation report in accordance 1605  
with division (B) of this section. After receipt and review of 1606  
the energy conservation report, the county may award a contract 1607  
to the selected installer to install the energy conservation 1608  
measures that are most likely to result in the greatest energy 1609  
savings considering the cost of the project and the county's 1610  
ability to pay for the improvements with current revenues or by 1611  
financing the improvements. 1612

(c) The awarding of a contract to install energy 1613  
conservation measures under division (C) (2) (a) or (b) of this 1614  
section shall be conditioned upon a finding by the contracting 1615  
authority that the amount of money spent on the energy 1616  
conservation measures is not likely to exceed the amount of 1617  
money the county would save in energy, operating, maintenance, 1618  
and avoided capital costs over the average system life of the 1619  
energy conservation measures as specified in the energy 1620  
conservation report. In making such a finding, the contracting 1621  
authority may take into account increased costs due to inflation 1622  
as shown in the energy conservation report. Nothing in this 1623  
division prohibits a county from rejecting all bids or proposals 1624  
under division (C) (1) (a) or (b) of this section or from 1625  
selecting more than one bid or proposal. 1626

(D) A board of county commissioners may enter into an 1627  
installment payment contract for the purchase and installation 1628  
of energy conservation measures. Provisions of installment 1629  
payment contracts that deal with interest charges and financing 1630  
terms shall not be subject to the competitive bidding 1631  
requirements of section 307.86 of the Revised Code, and shall be 1632



on the following terms: 1633

(1) Not less than a specified percentage, as determined 1634  
and approved by the board of county commissioners, of the costs 1635  
of the contract shall be paid within two years from the date of 1636  
purchase. 1637

(2) The remaining balance of the costs of the contract 1638  
shall be paid within the lesser of the average system life of 1639  
the energy conservation measures as specified in the energy 1640  
conservation report or thirty years. 1641

(E) The board of county commissioners may issue the notes 1642  
of the county specifying the terms of a purchase of energy 1643  
conservation measures under this section and securing any 1644  
deferred payments provided for in division (D) of this section. 1645  
The notes shall be payable at the times provided and bear 1646  
interest at a rate not exceeding the rate determined as provided 1647  
in section 9.95 of the Revised Code. The notes may contain an 1648  
option for prepayment and shall not be subject to Chapter 133. 1649  
of the Revised Code. Revenues derived from local taxes or 1650  
otherwise for the purpose of conserving energy or for defraying 1651  
the current operating expenses of the county may be pledged and 1652  
applied to the payment of interest and the retirement of the 1653  
notes. The notes may be sold at private sale or given to the 1654  
contractor under an installment payment contract authorized by 1655  
division (D) of this section. 1656

(F) Debt incurred under this section shall not be included 1657  
in the calculation of the net indebtedness of a county under 1658  
section 133.07 of the Revised Code. 1659

**Sec. 307.10.** (A) No sale of real property, or lease of 1660  
real property used or to be used for the purpose of airports, 1661

landing fields, or air navigational facilities, or parts 1662  
thereof, as provided by section 307.09 of the Revised Code shall 1663  
be made unless it is authorized by a resolution adopted by a 1664  
majority of the board of county commissioners. When a sale of 1665  
real property as provided by section 307.09 of the Revised Code 1666  
is authorized, the board may either deed the property to the 1667  
highest responsible bidder, after advertisement once a week for 1668  
four consecutive weeks ~~in a newspaper of general circulation in~~ 1669  
~~the county or as provided in section 7.16 of the Revised Code,~~ 1670  
or offer the real property for sale at a public auction, after 1671  
giving at least thirty days' notice of the auction ~~by~~ 1672  
~~publication in a newspaper of general circulation in the county.~~ 1673  
The advertisement or notice shall be published using at least 1674  
one of the following methods: 1675

(1) In the print or digital edition of a newspaper of 1676  
general circulation within the county; 1677

(2) On the official public notice web site established 1678  
under section 125.182 of the Revised Code; 1679

(3) On the web site and social media account of the 1680  
county. ~~The~~ 1681

The board may reject any and all bids. The board may, as 1682  
it considers best, sell real property pursuant to this section 1683  
as an entire tract or in parcels. The board, by resolution 1684  
adopted by a majority of the board, may lease real property, in 1685  
accordance with division (A) of section 307.09 of the Revised 1686  
Code, without advertising for bids. 1687

(B) The board, by resolution, may transfer real property 1688  
in fee simple belonging to the county and not needed for public 1689  
use to the United States government, to the state or any 1690

department or agency thereof, to municipal corporations or other 1691  
political subdivisions of the state, to the county board of 1692  
developmental disabilities, or to a county land reutilization 1693  
corporation organized under Chapter 1724. of the Revised Code 1694  
for public purposes upon the terms and in the manner that it may 1695  
determine to be in the best interests of the county, without 1696  
advertising for bids. The board shall execute a deed or other 1697  
proper instrument when such a transfer is approved. 1698

(C) The board, by resolution adopted by a majority of the 1699  
board, may grant leases, rights, or easements to the United 1700  
States government, to the state or any department or agency 1701  
thereof, or to municipal corporations and other political 1702  
subdivisions of the state, or to privately owned electric light 1703  
and power companies, natural gas companies, or telephone or 1704  
telegraph companies for purposes of rendering their several 1705  
public utilities services, in accordance with division (B) of 1706  
section 307.09 of the Revised Code, without advertising for 1707  
bids. When such grant of lease, right, or easement is 1708  
authorized, a deed or other proper instrument therefor shall be 1709  
executed by the board. 1710

**Sec. 307.12.** (A) Except as otherwise provided in divisions 1711  
(D), (E), and (G) of this section, when the board of county 1712  
commissioners finds, by resolution, that the county has personal 1713  
property, including motor vehicles acquired for the use of 1714  
county officers and departments, and road machinery, equipment, 1715  
tools, or supplies, that is not needed for public use, is 1716  
obsolete, or is unfit for the use for which it was acquired, and 1717  
when the fair market value of the property to be sold or donated 1718  
under this division is, in the opinion of the board, in excess 1719  
of ~~two-five~~ thousand ~~five-hundred~~ dollars, the board may do 1720  
either of the following: 1721

(1) Sell the property at public auction or by sealed bid 1722  
to the highest bidder. Notice of the time, place, and manner of 1723  
the sale shall be published ~~in a newspaper of general~~ 1724  
~~circulation in the county~~ at least ten days prior to the sale, 1725  
~~and a typewritten or printed notice of the time, place, and~~ 1726  
~~manner of the sale shall be posted at least ten days before the~~ 1727  
~~sale in the offices of the county auditor and the board of~~ 1728  
~~county commissioners~~ using at least one of the following methods: 1729

(a) In the print or digital edition of a newspaper of 1730  
general circulation within the county; 1731

(b) On the official public notice web site established 1732  
under section 125.182 of the Revised Code; 1733

(c) On the web site and social media account of the 1734  
county. 1735

If a board conducts a sale of property by sealed bid, the 1736  
form of the bid shall be as prescribed by the board, and each 1737  
bid shall contain the name of the person submitting it. Bids 1738  
received shall be opened and tabulated at the time stated in the 1739  
notice. The property shall be sold to the highest bidder, except 1740  
that the board may reject all bids and hold another sale, by 1741  
public auction or sealed bid, in the manner prescribed by this 1742  
section. 1743

(2) Donate any motor vehicle that does not exceed four 1744  
thousand five hundred dollars in value to a nonprofit 1745  
organization exempt from federal income taxation pursuant to 26 1746  
U.S.C. 501(a) and (c)(3) for the purpose of meeting the 1747  
transportation needs of participants in the Ohio works first 1748  
program established under Chapter 5107. of the Revised Code and 1749  
participants in the prevention, retention, and contingency 1750

program established under Chapter 5108. of the Revised Code. 1751

(B) When the board of county commissioners finds, by 1752  
resolution, that the county has personal property, including 1753  
motor vehicles acquired for the use of county officers and 1754  
departments, and road machinery, equipment, tools, or supplies, 1755  
that is not needed for public use, is obsolete, or is unfit for 1756  
the use for which it was acquired, and when the fair market 1757  
value of the property to be sold or donated under this division 1758  
is, in the opinion of the board, ~~two-five thousand five hundred~~ 1759  
dollars or less, the board may do either of the following: 1760

(1) Sell the property by private sale, without 1761  
advertisement or public notification; 1762

(2) Donate the property to an eligible nonprofit 1763  
organization that is located in this state and is exempt from 1764  
federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3). 1765  
~~Before donating any property under this division, the board~~ 1766  
~~shall adopt a resolution expressing its intent to make unneeded,~~ 1767  
~~obsolete, or unfit for use county personal property available to~~ 1768  
~~these organizations. The resolution shall include guidelines and~~ 1769  
~~procedures the board considers necessary to implement a donation~~ 1770  
~~program under this division and shall indicate whether the~~ 1771  
~~county will conduct the donation program or the board will~~ 1772  
~~contract with a representative to conduct it. If a~~ 1773  
~~representative is known when the resolution is adopted, the~~ 1774  
~~resolution shall provide contact information such as the~~ 1775  
~~representative's name, address, and telephone number.~~ 1776

~~The resolution shall include within its procedures a~~ 1777  
~~requirement that any nonprofit organization desiring to obtain~~ 1778  
~~donated property under this division shall submit a written~~ 1779  
~~notice to the board or its representative. The written notice,~~ 1780

~~the nonprofit organization shall include provide the board~~ 1781  
~~evidence that the organization is a nonprofit organization that~~ 1782  
~~is located in this state and is exempt from federal income~~ 1783  
~~taxation pursuant to 26 U.S.C. 501(a) and (c) (3); a description~~ 1784  
~~of the organization's primary purpose; a description of the type~~ 1785  
~~or types of property the organization needs; and the name,~~ 1786  
~~address, and telephone number of a person designated by the~~ 1787  
~~organization's governing board to receive donated property and~~ 1788  
~~to serve as its agent.~~ 1789

~~After adoption of the resolution, the board shall publish,~~ 1790  
~~in a newspaper of general circulation in the county, notice of~~ 1791  
~~its intent to donate unneeded, obsolete, or unfit for use county~~ 1792  
~~personal property to eligible nonprofit organizations. The~~ 1793  
~~notice shall include a summary of the information provided in~~ 1794  
~~the resolution and shall be published twice or as provided in~~ 1795  
~~section 7.16 of the Revised Code. The second and any subsequent~~ 1796  
~~notice shall be published not less than ten nor more than twenty~~ 1797  
~~days after the previous notice. A similar notice also shall be~~ 1798  
~~posted continually in a conspicuous place in the offices of the~~ 1799  
~~county auditor and the board of county commissioners. If the~~ 1800  
~~county maintains a web site on the internet, the notice shall be~~ 1801  
~~posted continually at that web site.~~ 1802

~~The board or its representative shall maintain a list of~~ 1803  
~~all nonprofit organizations that notify the board or its~~ 1804  
~~representative of their desire to obtain donated property under~~ 1805  
~~this division and that the board or its representative~~ 1806  
~~determines to be eligible, in accordance with the requirements~~ 1807  
~~set forth in this section and in the donation program's~~ 1808  
~~guidelines and procedures, to receive donated property.~~ 1809

~~The board or its representatives also shall maintain a~~ 1810

~~list of all county personal property the board finds to be~~ 1811  
~~unneded, obsolete, or unfit for use and to be available for~~ 1812  
~~donation under this division. The list shall be posted~~ 1813  
~~continually in a conspicuous location in the offices of the~~ 1814  
~~county auditor and the board of county commissioners, and, if~~ 1815  
~~the county maintains a web site on the internet, the list shall~~ 1816  
~~be posted continually at that web site. An item of property on~~ 1817  
~~the list shall be donated to the eligible nonprofit organization~~ 1818  
~~that first declares to the board or its representative its~~ 1819  
~~desire to obtain the item unless the board previously has~~ 1820  
~~established, by resolution, a list of eligible nonprofit~~ 1821  
~~organizations that shall be given priority with respect to the~~ 1822  
~~item's donation. Priority may be given on the basis that the~~ 1823  
~~purposes of a nonprofit organization have a direct relationship~~ 1824  
~~to specific public purposes of programs provided or administered~~ 1825  
~~by the board. A resolution giving priority to certain nonprofit~~ 1826  
~~organizations with respect to the donation of an item of~~ 1827  
~~property shall specify the reasons why the organizations are~~ 1828  
~~given that priority.~~ 1829

(C) Members of the board of county commissioners shall 1830  
consult with the Ohio ethics commission, and comply with the 1831  
provisions of Chapters 102. and 2921. of the Revised Code, with 1832  
respect to any sale or donation under division (A) or (B) of 1833  
this section to a nonprofit organization of which a county 1834  
commissioner, any member of the county commissioner's family, or 1835  
any business associate of the county commissioner is a trustee, 1836  
officer, board member, or employee. 1837

(D) Notwithstanding anything to the contrary in division 1838  
(A), (B), or (E) of this section and regardless of the 1839  
property's value, the board of county commissioners may sell or 1840  
donate county personal property, including motor vehicles, to 1841

the federal government, the state, any political subdivision of 1842  
the state, or a county land reutilization corporation without 1843  
advertisement or public notification. 1844

(E) Notwithstanding anything to the contrary in division 1845  
(A), (B), or (G) of this section and regardless of the 1846  
property's value, the board of county commissioners may sell 1847  
personal property, including motor vehicles acquired for the use 1848  
of county officers and departments, and road machinery, 1849  
equipment, tools, or supplies, that is not needed for public 1850  
use, is obsolete, or is unfit for the use for which it was 1851  
acquired, by internet auction. The board shall adopt a 1852  
resolution expressing its intent to sell property by internet 1853  
auction. The resolution shall include a description of how the 1854  
internet auctions will be conducted and shall specify the number 1855  
of days for bidding on the property, which shall be no less than 1856  
ten days, including Saturdays, Sundays, and legal holidays. The 1857  
resolution shall indicate whether the county will conduct the 1858  
internet auctions or the board will contract with a 1859  
representative to conduct the internet auctions and shall 1860  
establish the general terms and conditions of sale. If a 1861  
representative is known when the resolution is adopted, the 1862  
resolution shall provide contact information such as the 1863  
representative's name, address, and telephone number. 1864

After adoption of the resolution, the board shall publish, 1865  
in a newspaper of general circulation in the county, notice of 1866  
its intent to sell unneeded, obsolete, or unfit-for-use county 1867  
personal property by internet auction. The notice shall include 1868  
a summary of the information provided in the resolution and 1869  
shall be published twice or as provided in section 7.16 of the 1870  
Revised Code. The second and any subsequent notice shall be 1871  
published not less than ten nor more than twenty days after the 1872



previous notice. A similar notice also shall be posted 1873  
continually in a conspicuous place in the offices of the county 1874  
auditor and the board of county commissioners. If the county 1875  
maintains a web site on the internet, the notice shall be posted 1876  
continually at that web site. 1877

When property is to be sold by internet auction, the board 1878  
or its representative may establish a minimum price that will be 1879  
accepted for specific items and may establish any other terms 1880  
and conditions for a particular sale, including requirements for 1881  
pick-up or delivery, method of payment, and sales tax. This type 1882  
of information shall be provided on the internet at the time of 1883  
the auction and may be provided before that time upon request 1884  
after the terms and conditions have been determined by the board 1885  
or its representative. 1886

(F) When a county officer or department head determines 1887  
that county-owned personal property under the jurisdiction of 1888  
the officer or department head, including motor vehicles, road 1889  
machinery, equipment, tools, or supplies, is not of immediate 1890  
need, the county officer or department head may notify the board 1891  
of county commissioners, and the board may lease that personal 1892  
property to any municipal corporation, township, other political 1893  
subdivision of the state, or to a county land reutilization 1894  
corporation. The lease shall require the county to be reimbursed 1895  
under terms, conditions, and fees established by the board, or 1896  
under contracts executed by the board. 1897

(G) If the board of county commissioners finds, by 1898  
resolution, that the county has vehicles, equipment, or 1899  
machinery that is not needed, or is unfit for public use, and 1900  
the board desires to sell the vehicles, equipment, or machinery 1901  
to the person or firm from which it proposes to purchase other 1902

vehicles, equipment, or machinery, the board may offer to sell 1903  
the vehicles, equipment, or machinery to that person or firm, 1904  
and to have the selling price credited to the person or firm 1905  
against the purchase price of other vehicles, equipment, or 1906  
machinery. 1907

(H) If the board of county commissioners advertises for 1908  
bids for the sale of new vehicles, equipment, or machinery to 1909  
the county, it may include in the same advertisement a notice of 1910  
the willingness of the board to accept bids for the purchase of 1911  
county-owned vehicles, equipment, or machinery that is obsolete 1912  
or not needed for public use, and to have the amount of those 1913  
bids subtracted from the selling price of the other vehicles, 1914  
equipment, or machinery as a means of determining the lowest 1915  
responsible bidder. 1916

(I) If a board of county commissioners determines that 1917  
county personal property is not needed for public use, or is 1918  
obsolete or unfit for the use for which it was acquired, and 1919  
that the property has no value, the board may discard or salvage 1920  
that property. 1921

(J) A county engineer, in the engineer's discretion, may 1922  
dispose of scrap construction materials on such terms as the 1923  
engineer determines reasonable, including disposal without 1924  
recovery of costs, if the total value of the materials does not 1925  
exceed twenty-five thousand dollars. The engineer shall maintain 1926  
records of all dispositions made under this division, including 1927  
identification of the origin of the materials, the final 1928  
disposition, and copies of all receipts resulting from the 1929  
dispositions. 1930

As used in division ~~(I)~~ (J) of this section, "scrap 1931  
construction materials" means construction materials that result 1932

from a road or bridge improvement, remain after the improvement 1933  
is completed, and are not reusable. Construction material that 1934  
is metal and that results from a road or bridge improvement and 1935  
remains after the improvement is completed is scrap construction 1936  
material only if it cannot be used in any other road or bridge 1937  
improvement or other project in its current state. 1938

**Sec. 307.37.** (A) As used in division (B)(3) of this 1939  
section, "proposed new construction" means a proposal to erect, 1940  
construct, repair, alter, redevelop, or maintain a single- 1941  
family, two-family, or three-family dwelling or any structure 1942  
that is regulated by the Ohio building code. 1943

(B)(1)(a) The board of county commissioners may adopt 1944  
local residential building regulations governing residential 1945  
buildings as defined in section 3781.06 of the Revised Code, to 1946  
be enforced within the unincorporated area of the county or 1947  
within districts the board establishes in any part of the 1948  
unincorporated area. No local residential building regulation 1949  
shall differ from the state residential building code the board 1950  
of building standards establishes pursuant to Chapter 3781. of 1951  
the Revised Code unless the regulation addresses subject matter 1952  
not addressed by the state residential building code or is 1953  
adopted pursuant to section 3781.01 of the Revised Code. 1954

(b) The board of county commissioners may, by resolution, 1955  
adopt, administer, and enforce within the unincorporated area of 1956  
the county, or within districts the board establishes in the 1957  
unincorporated area, an existing structures code pertaining to 1958  
the repair and continued maintenance of structures and the 1959  
premises of those structures provided that the existing 1960  
structures code governs subject matter not addressed by, and is 1961  
not in conflict with, the state residential building code 1962

adopted pursuant to Chapter 3781. of the Revised Code. The board 1963  
may adopt by incorporation by reference a model or standard code 1964  
prepared and promulgated by the state, any agency of this state, 1965  
or any private organization that publishes a recognized or 1966  
standard existing structures code. 1967

(c) The board shall assign the duties of administering and 1968  
enforcing any local residential building regulations or existing 1969  
structures code to a county officer or employee who is trained 1970  
and qualified for those duties and shall establish by resolution 1971  
the minimum qualifications necessary to perform those duties. 1972

(2) The board may adopt regulations for participation in 1973  
the national flood insurance program as defined in section 1974  
1521.01 of the Revised Code and regulations for the purposes of 1975  
section 1506.04 or 1506.07 of the Revised Code governing the 1976  
prohibition, location, erection, construction, redevelopment, or 1977  
floodproofing of new buildings or structures, substantial 1978  
improvements to existing buildings or structures, or other 1979  
development in unincorporated territory within flood hazard 1980  
areas identified under the "Flood Disaster Protection Act of 1981  
1973," 87 Stat. 975, 42 U.S.C.A. 4002, as amended, or within 1982  
Lake Erie coastal erosion areas identified under section 1506.06 1983  
of the Revised Code, including, but not limited to, residential, 1984  
commercial, institutional, or industrial buildings or structures 1985  
or other permanent structures, as defined in section 1506.01 of 1986  
the Revised Code. Rules adopted under division (B) (2) of this 1987  
section shall not conflict with the state residential and 1988  
nonresidential building codes adopted pursuant to section 1989  
3781.10 of the Revised Code. 1990

(3) (a) A board may adopt regulations that provide for a 1991  
review of the specific effects of a proposed new construction on 1992

existing surface or subsurface drainage. The regulations may 1993  
require reasonable drainage mitigation and reasonable alteration 1994  
of a proposed new construction before a building permit is 1995  
issued in order to prevent or correct any adverse effects that 1996  
the proposed new construction may have on existing surface or 1997  
subsurface drainage. The regulations shall not be inconsistent 1998  
with, more stringent than, or broader in scope than standards 1999  
adopted by the natural resource conservation service in the 2000  
United States department of agriculture concerning drainage or 2001  
rules adopted by the environmental protection agency for 2002  
reducing, controlling, or mitigating storm water runoff from 2003  
construction sites, where applicable. The regulations shall 2004  
allow a person who is registered under Chapter 4703. or 4733. of 2005  
the Revised Code to prepare and submit relevant plans and other 2006  
documents for review, provided that the person is authorized to 2007  
prepare the plans and other documents pursuant to the person's 2008  
registration. 2009

(b) If regulations are adopted under division (B)(3) of 2010  
this section, the board shall specify in the regulations a 2011  
procedure for the review of the specific effects of a proposed 2012  
new construction on existing surface or subsurface drainage. The 2013  
procedure shall include at a minimum all of the following: 2014

(i) A meeting at which the proposed new construction shall 2015  
be examined for those specific effects. The meeting shall be 2016  
held within thirty days after an application for a building 2017  
permit is filed or a review is requested unless the applicant 2018  
agrees in writing to extend that time period or to postpone the 2019  
meeting to another date, time, or place. The meeting shall be 2020  
scheduled within five days after an application for a building 2021  
permit is filed or a review is requested. 2022

(ii) Written notice of the date, time, and place of that meeting, sent by regular mail to the applicant. The written notice shall be mailed at least seven days before the scheduled meeting date.

(iii) Completion of the review by the board of county commissioners not later than thirty days after the application for a building permit is filed or a review is requested unless the applicant has agreed in writing to extend that time period or postpone the meeting to a later time, in which case the review shall be completed not later than two days after the date of the meeting. A complete review shall include the issuance of any order of the board of county commissioners regarding necessary reasonable drainage mitigation and necessary reasonable alterations to the proposed new construction to prevent or correct any adverse effects on existing surface or subsurface drainage so long as those alterations comply with the state residential and nonresidential building codes adopted pursuant to section 3781.10 of the Revised Code. If the review is not completed within the thirty-day period or an extended or postponed period that the applicant has agreed to, the proposed new construction shall be deemed to have no adverse effects on existing surface or subsurface drainage, and those effects shall not be a valid basis for the denial of a building permit.

(iv) A written statement, provided to the applicant at the meeting or in an order for alterations to a proposed new construction, informing the applicant of the right to seek appellate review of the denial of a building permit under division (B) (3) (b) (iii) of this section by filing a petition in accordance with Chapter 2506. of the Revised Code.

(c) The regulations may authorize the board, after

obtaining the advice of the county engineer, to enter into an 2053  
agreement with the county engineer or another qualified person 2054  
or entity to carry out any necessary inspections and make 2055  
evaluations about what, if any, alterations are necessary to 2056  
prevent or correct any adverse effects that a proposed new 2057  
construction may have on existing surface or subsurface 2058  
drainage. 2059

(d) Regulations adopted pursuant to division (B) (3) of 2060  
this section shall not apply to any property that a platting 2061  
authority has approved under section 711.05, 711.09, or 711.10 2062  
of the Revised Code and shall not govern the same subject matter 2063  
as the state residential or nonresidential building codes 2064  
adopted pursuant to section 3781.10 of the Revised Code. 2065

(e) As used in division (B) (3) of this section, 2066  
"subsurface drainage" does not include a household sewage 2067  
treatment system as defined in section 3709.091 of the Revised 2068  
Code. 2069

(C) (1) Any regulation, code, or amendment may be adopted 2070  
under this section only after a public hearing at not fewer than 2071  
two regular or special sessions of the board. The board shall 2072  
cause notice of any public hearing to be published ~~in a~~ 2073  
~~newspaper of general circulation in the county~~ once a week for 2074  
the two consecutive weeks immediately preceding the hearing, ~~—~~ 2075  
~~except that if the board posts the hearing notice on the board's~~ 2076  
~~internet site on the world wide web, the board need publish only~~ 2077  
~~one notice of the hearing in a newspaper of general circulation~~ 2078  
~~if that newspaper notice includes the board's internet site and~~ 2079  
~~a statement that the notice is also posted on the internet site,~~ 2080  
using at least one of the following methods: 2081

(a) In the print or digital edition of a newspaper of 2082

general circulation within the county; 2083

(b) On the official public notice web site established 2084  
under section 125.182 of the Revised Code; 2085

(c) On the web site and social media account of the 2086  
county. ~~Any~~ 2087

Any notice of a public hearing shall include the time, 2088  
date, and place of the hearing. 2089

(2) Any proposed regulation, code, or amendment shall be 2090  
made available to the public at the board office. The 2091  
regulations or amendments shall take effect on the thirty-first 2092  
day following the date of their adoption. 2093

(D) (1) No person shall violate any regulation, code, or 2094  
amendment the board adopts under sections 307.37 to 307.40 of 2095  
the Revised Code. 2096

(2) Each day during which an illegal location, erection, 2097  
construction, floodproofing, repair, alteration, development, 2098  
redevelopment, or maintenance continues may be considered a 2099  
separate offense. 2100

(E) Regulations or amendments the board adopts pursuant to 2101  
this section, with the exception of an existing structures code, 2102  
do not affect buildings or structures that exist or on which 2103  
construction has begun on or before the date the board adopts 2104  
the regulation or amendment. 2105

(F) (1) The board may create a building department and 2106  
employ the personnel it determines necessary to administer and 2107  
enforce any local residential building regulations or existing 2108  
structures code the board adopts pursuant to this section. The 2109  
building department may enforce the state residential and 2110



nonresidential building codes adopted pursuant to Chapter 3781. 2111  
of the Revised Code if the building department is certified 2112  
pursuant to section 3781.10 of the Revised Code to enforce those 2113  
codes. 2114

(2) The board may direct the building department, upon 2115  
certification, to exercise enforcement authority and to accept 2116  
and approve plans pursuant to sections 3781.03 and 3791.04 of 2117  
the Revised Code for the class of building for which the 2118  
department and personnel are certified. 2119

**Sec. 307.39.** Building regulations, as adopted, amended, or 2120  
changed by the board of county commissioners, shall be made 2121  
available to the public at the office of the board, and the 2122  
section numbers and a notice of the ~~availability~~ availability of 2123  
such regulations shall be published ~~in at least one newspaper of~~ 2124  
~~general county-wide circulation~~ within ten days after their 2125  
adoption, amendment, or change, using at least one of the 2126  
following methods: 2127

(A) In the print or digital edition of a newspaper of 2128  
general circulation within the county; 2129

(B) On the official public notice web site established 2130  
under section 125.182 of the Revised Code; 2131

(C) On the web site and social media account of the 2132  
county. 2133

**Sec. 307.561.** (A) Notwithstanding any contrary provision 2134  
in another section of the Revised Code, section 303.12 of the 2135  
Revised Code, or any vote of the electors on a petition for 2136  
zoning referendum, a county may settle any court action by a 2137  
consent decree or court-approved settlement agreement which may 2138  
include an agreement to rezone any property involved in the 2139

action as provided in the decree or court-approved settlement 2140  
agreement without following the procedures in section 303.12 of 2141  
the Revised Code and also may include county approval of a 2142  
development plan for any property involved in the action as 2143  
provided in the decree or court-approved settlement agreement, 2144  
provided that the court makes specific findings of fact that 2145  
notice has been properly made pursuant to this section and the 2146  
consent decree or court-approved settlement agreement is fair 2147  
and reasonable. 2148

(B) If the subject of the consent decree or court-approved 2149  
settlement agreement involves a zoning issue subject to 2150  
referendum under section 303.12 of the Revised Code, the board 2151  
of county commissioners shall publish notice of their intent to 2152  
meet and consider and take action on the decree or court- 2153  
approved settlement agreement and the date and time of the 2154  
~~meeting in a newspaper of general circulation in the county~~ at 2155  
least fifteen days before the meeting, using at least one of the 2156  
following methods: 2157

(1) In the print or digital edition of a newspaper of 2158  
general circulation within the county; 2159

(2) On the official public notice web site established 2160  
under section 125.182 of the Revised Code; 2161

(3) On the web site and social media account of the 2162  
county. The— 2163

(C) The board shall permit members of the public to 2164  
express their objections to the consent decree or court-approved 2165  
settlement agreement at the meeting. Copies of the proposed 2166  
consent decree or court-approved settlement agreement shall be 2167  
available to the public at the board's office during normal 2168

business hours. 2169

(D) At least ten days ~~prior to~~ before the submission of a 2170  
proposed consent decree or settlement agreement to the court for 2171  
its review and consideration, the plaintiff in the action 2172  
involving the consent decree or settlement agreement shall 2173  
publish a notice that shall include the caption of the case, the 2174  
case number, and the court in which the consent decree or 2175  
settlement agreement will be filed, the intention of the parties 2176  
in the action to file a consent decree or settlement agreement, 2177  
and, when applicable, a description of the real property 2178  
involved and the proposed change in zoning or permitted use, ~~in~~ 2179  
using at least one of the following methods: 2180

(1) In the print or digital edition of a newspaper of 2181  
general circulation in the county; 2182

(2) On the official public notice web site established 2183  
under section 125.182 of the Revised Code; 2184

(3) On the web site and social media account of the 2185  
county. 2186

**Sec. 307.676.** (A) As used in this section: 2187

(1) "Food and beverages" means any raw, cooked, or 2188  
processed edible substance used or intended for use in whole or 2189  
in part for human consumption, including ice, water, spirituous 2190  
liquors, wine, mixed beverages, beer, soft drinks, soda, and 2191  
other beverages. 2192

(2) "Convention facilities authority" has the same meaning 2193  
as in section 351.01 of the Revised Code. 2194

(3) "Convention center" has the same meaning as in section 2195  
307.695 of the Revised Code. 2196

(B) The legislative authority of a county with a  
population of one million or more according to the most recent  
federal decennial census may, by resolution adopted on or before  
August 30, 2004, by a majority of the members of the legislative  
authority and with the subsequent approval of a majority of the  
electors of the county voting upon it, levy a tax of not more  
than two per cent on every retail sale in the county of food and  
beverages to be consumed on the premises where sold to pay the  
expenses of administering the tax and to provide revenues for  
the county general fund. Such resolution shall direct the board  
of elections to submit the question of levying the tax to the  
electors of the county at the next primary or general election  
in the county occurring not less than ninety days after the  
resolution is certified to the board of elections, and such  
resolution may further direct the board of elections to include  
upon the ballot submitted to the electors any specific purposes  
for which the tax will be used. The legislative authority shall  
establish all regulations necessary to provide for the  
administration and allocation of the tax. The regulations may  
prescribe the time for payment of the tax and may provide for  
imposition of a penalty, interest, or both for late payments,  
provided that any such penalty may not exceed ten per cent of  
the amount of tax due and the rate at which interest accrues may  
not exceed the rate per annum required under section 5703.47 of  
the Revised Code.

(C) A tax levied under this section shall remain in effect  
for the period of time specified in the resolution or ordinance  
levying the tax, but in no case for a longer period than forty  
years.

(D) A tax levied under this section is in addition to any  
other tax levied under Chapter 307., 4301., 4305., 5739., 5741.,

or any other chapter of the Revised Code. "Price," as defined in 2228  
sections 5739.01 and 5741.01 of the Revised Code, does not 2229  
include any tax levied under this section and any tax levied 2230  
under this section does not include any tax imposed under 2231  
Chapter 5739. or 5741. of the Revised Code. 2232

(E) (1) No amount collected from a tax levied under this 2233  
section shall be contributed to a convention facilities 2234  
authority, corporation, or other entity created after July 1, 2235  
2003, for the principal purpose of constructing, improving, 2236  
expanding, equipping, financing, or operating a convention 2237  
center unless the mayor of the municipal corporation in which 2238  
the convention center is to be operated by that convention 2239  
facilities authority, corporation, or other entity has consented 2240  
to the creation of that convention facilities authority, 2241  
corporation, or entity. Notwithstanding any contrary provision 2242  
of section 351.04 of the Revised Code, if a tax is levied by a 2243  
county under this section, the board of county commissioners of 2244  
that county may determine the manner of selection, the 2245  
qualifications, the number, and terms of office of the members 2246  
of the board of directors of any convention facilities 2247  
authority, corporation, or other entity described in division 2248  
(E) (1) of this section. 2249

(2) (a) No amount collected from a tax levied under this 2250  
section may be used for any purpose other than paying the direct 2251  
and indirect costs of constructing, improving, expanding, 2252  
equipping, financing, or operating a convention center and for 2253  
the real and actual costs of administering the tax, unless, 2254  
prior to the adoption of the resolution of the legislative 2255  
authority of the county directing the board of elections to 2256  
submit the question of the levy, extension, or increase to the 2257  
electors of the county, the county and the mayor of the most 2258

populous municipal corporation in that county have entered into 2259  
an agreement as to the use of such amounts, provided that such 2260  
agreement has been approved by a majority of the mayors of the 2261  
other municipal corporations in that county. The agreement shall 2262  
provide that the amounts to be used for purposes other than 2263  
paying the convention center or administrative costs described 2264  
in division (E) (2) (a) of this section be used only for the 2265  
direct and indirect costs of capital improvements in accordance 2266  
with the agreement, including the financing of capital 2267  
improvements. Immediately following the execution of the 2268  
agreement, the county shall+ 2269

~~(i) In accordance with section 7.12 of the Revised Code,~~ 2270  
~~cause cause~~ the agreement to be published once in using at least 2271  
one of the following methods: 2272

(i) In the print or digital edition of a newspaper of 2273  
general circulation in that county; ~~or~~ 2274

~~(ii) Post the agreement in at least five public places in~~ 2275  
~~the county, as determined by the legislative authority, for a~~ 2276  
~~period not less than fifteen days~~On the official public notice 2277  
web site established under section 125.182 of the Revised Code; 2278

(iii) On the web site and social media account of the 2279  
county. 2280

(b) If the county in which the tax is levied has an 2281  
association of mayors and city managers, the approval of that 2282  
association of an agreement described in division (E) (2) (a) of 2283  
this section shall be considered to be the approval of the 2284  
majority of the mayors of the other municipal corporations for 2285  
purposes of that division. 2286

(F) Each year, the auditor of state shall conduct an audit 2287

of the uses of any amounts collected from taxes levied under 2288  
this section and shall prepare a report of the auditor of 2289  
state's findings. The auditor of state shall submit the report 2290  
to the legislative authority of the county that has levied the 2291  
tax, the speaker of the house of representatives, the president 2292  
of the senate, and the leaders of the minority parties of the 2293  
house of representatives and the senate. 2294

(G) The levy of any taxes under Chapter 5739. of the 2295  
Revised Code on the same transactions subject to a tax under 2296  
this section does not prevent the levy of a tax under this 2297  
section. 2298

**Sec. 307.70.** In any county electing a county charter 2299  
commission, the board of county commissioners shall appropriate 2300  
money for the expenses of such commission in the preparation of 2301  
a county charter, or charter amendment, and the study of 2302  
problems involved. No appropriation shall be made for the 2303  
compensation of members of the commission for their services. 2304  
The board shall appropriate money for the printing and mailing 2305  
or otherwise distributing to each elector in the county, as far 2306  
as may be reasonably possible, a copy of a charter submitted to 2307  
the electors of the county by a charter commission or by the 2308  
board pursuant to petition as provided by Section 4 of Article 2309  
X, Ohio Constitution. The copy of the charter shall be mailed or 2310  
otherwise distributed at least thirty days prior to the 2311  
election. The board shall appropriate money for the printing and 2312  
distribution or publication of proposed amendments to a charter 2313  
submitted by a charter commission pursuant to Section 4 of 2314  
Article X, Ohio Constitution. Notice of amendments to a county 2315  
charter shall be given by mailing or otherwise distributing a 2316  
copy of each proposed amendment to each elector in the county, 2317  
as far as may be reasonably possible, at least thirty days prior 2318

to the election or, if the board so determines, by publishing 2319  
the full text of the proposed amendments once a week for at 2320  
least two consecutive weeks ~~in~~ using at least one of the 2321  
following methods: 2322

(A) In the print or digital edition of a newspaper of 2323  
general circulation within the county, ~~or as provided in section~~ 2324  
~~7.16 of the Revised Code;~~ 2325

(B) On the official public notice web site established 2326  
under section 125.182 of the Revised Code; 2327

(C) On the web site and social media account of the 2328  
county. ~~No~~ 2329

No public officer is precluded, because of being a public 2330  
officer, from also holding office as a member of a county 2331  
charter commission, except that not more than four officeholders 2332  
may be elected to a county charter commission at the same time. 2333  
No member of a county charter commission, because of charter 2334  
commission membership, is precluded from seeking or holding 2335  
other public office. 2336

**Sec. 307.79.** (A) The board of county commissioners may 2337  
adopt, amend, and rescind rules establishing technically 2338  
feasible and economically reasonable standards to achieve a 2339  
level of management and conservation practices that will abate 2340  
wind or water erosion of the soil or abate the degradation of 2341  
the waters of the state by soil sediment in conjunction with 2342  
land grading, excavating, filling, or other soil disturbing 2343  
activities on land used or being developed for nonfarm 2344  
commercial, industrial, residential, or other nonfarm purposes, 2345  
and establish criteria for determination of the acceptability of 2346  
those management and conservation practices. The rules shall be 2347



designed to implement the applicable areawide waste treatment 2348  
management plan prepared under section 208 of the "Federal Water 2349  
Pollution Control Act," 86 Stat. 816 (1972), 33 U.S.C.A. 1228, 2350  
as amended, and to implement phase II of the storm water program 2351  
of the national pollutant discharge elimination system 2352  
established in 40 C.F.R. Part 122. The rules to implement phase 2353  
II of the storm water program of the national pollutant 2354  
discharge elimination system shall not be inconsistent with, 2355  
more stringent than, or broader in scope than the rules or 2356  
regulations adopted by the environmental protection agency under 2357  
40 C.F.R. Part 122. The rules adopted under this section shall 2358  
not apply inside the limits of municipal corporations or the 2359  
limits of townships with a limited home rule government that 2360  
have adopted rules under section 504.21 of the Revised Code, to 2361  
lands being used in a strip mine operation as defined in section 2362  
1513.01 of the Revised Code, or to land being used in a surface 2363  
mine operation as defined in section 1514.01 of the Revised 2364  
Code. 2365

The rules adopted under this section may require persons 2366  
to file plans governing erosion control, sediment control, and 2367  
water management before clearing, grading, excavating, filling, 2368  
or otherwise wholly or partially disturbing one or more 2369  
contiguous acres of land owned by one person or operated as one 2370  
development unit for the construction of nonfarm buildings, 2371  
structures, utilities, recreational areas, or other similar 2372  
nonfarm uses. If the rules require plans to be filed, the rules 2373  
shall do all of the following: 2374

(1) Designate the board itself, its employees, or another 2375  
agency or official to review and approve or disapprove the 2376  
plans; 2377

(2) Establish procedures and criteria for the review and 2378  
approval or disapproval of the plans; 2379

(3) Require the designated entity to issue a permit to a 2380  
person for the clearing, grading, excavating, filling, or other 2381  
project for which plans are approved and to deny a permit to a 2382  
person whose plans have been disapproved; 2383

(4) Establish procedures for the issuance of the permits; 2384

(5) Establish procedures under which a person may appeal 2385  
the denial of a permit. 2386

Areas of less than one contiguous acre shall not be exempt 2387  
from compliance with other provisions of this section or rules 2388  
adopted under this section. The rules adopted under this section 2389  
may impose reasonable filing fees for plan review, permit 2390  
processing, and field inspections. 2391

No permit or plan shall be required for a public highway, 2392  
transportation, or drainage improvement or maintenance project 2393  
undertaken by a government agency or political subdivision in 2394  
accordance with a statement of its standard sediment control 2395  
policies that is approved by the board or the chief of the 2396  
division of soil and water resources in the department of 2397  
natural resources. 2398

(B) Rules or amendments may be adopted under this section 2399  
only after public hearings at not fewer than two regular 2400  
sessions of the board. The board of county commissioners shall 2401  
~~cause to be published, in a newspaper of general circulation in~~ 2402  
~~the county,~~ notice of the public hearings, including time, date, 2403  
and place, to be published once a week for two weeks immediately 2404  
preceding the hearings, ~~or as provided in section 7.16 of the~~ 2405  
~~Revised Code~~ using at least one of the following methods: 2406

(1) In the print or digital edition of a newspaper of 2407  
general circulation within the county; 2408

(2) On the official public notice web site established 2409  
under section 125.182 of the Revised Code; 2410

(3) On the web site and social media account of the 2411  
county. ~~The~~ 2412

The proposed rules or amendments shall be made available 2413  
by the board to the public at the board office or other location 2414  
indicated in the notice. The rules or amendments shall take 2415  
effect on the thirty-first day following the date of their 2416  
adoption. 2417

(C) The board of county commissioners may employ personnel 2418  
to assist in the administration of this section and the rules 2419  
adopted under it. The board also, if the action does not 2420  
conflict with the rules, may delegate duties to review sediment 2421  
control and water management plans to its employees, and may 2422  
enter into agreements with one or more political subdivisions, 2423  
other county officials, or other government agencies, in any 2424  
combination, in order to obtain reviews and comments on plans 2425  
governing erosion control, sediment control, and water 2426  
management or to obtain other services for the administration of 2427  
the rules adopted under this section. 2428

(D) The board of county commissioners or any duly 2429  
authorized representative of the board may, upon identification 2430  
to the owner or person in charge, enter any land upon obtaining 2431  
agreement with the owner, tenant, or manager of the land in 2432  
order to determine whether there is compliance with the rules 2433  
adopted under this section. If the board or its duly authorized 2434  
representative is unable to obtain such an agreement, the board 2435

or representative may apply for, and a judge of the court of 2436  
common pleas for the county where the land is located may issue, 2437  
an appropriate inspection warrant as necessary to achieve the 2438  
purposes of this chapter. 2439

(E) (1) If the board of county commissioners or its duly 2440  
authorized representative determines that a violation of the 2441  
rules adopted under this section exists, the board or 2442  
representative may issue an immediate stop work order if the 2443  
violator failed to obtain any federal, state, or local permit 2444  
necessary for sediment and erosion control, earth movement, 2445  
clearing, or cut and fill activity. In addition, if the board or 2446  
representative determines such a rule violation exists, 2447  
regardless of whether or not the violator has obtained the 2448  
proper permits, the board or representative may authorize the 2449  
issuance of a notice of violation. If, after a period of not 2450  
less than thirty days has elapsed following the issuance of the 2451  
notice of violation, the violation continues, the board or its 2452  
duly authorized representative shall issue a second notice of 2453  
violation. Except as provided in division (E) (3) of this 2454  
section, if, after a period of not less than fifteen days has 2455  
elapsed following the issuance of the second notice of 2456  
violation, the violation continues, the board or its duly 2457  
authorized representative may issue a stop work order after 2458  
first obtaining the written approval of the prosecuting attorney 2459  
of the county if, in the opinion of the prosecuting attorney, 2460  
the violation is egregious. 2461

Once a stop work order is issued, the board or its duly 2462  
~~authorize~~authorized representative shall request, in writing, 2463  
the prosecuting attorney of the county to seek an injunction or 2464  
other appropriate relief in the court of common pleas to abate 2465  
excessive erosion or sedimentation and secure compliance with 2466

the rules adopted under this section. If the prosecuting attorney seeks an injunction or other appropriate relief, then, in granting relief, the court of common pleas may order the construction of sediment control improvements or implementation of other control measures and may assess a civil fine of not less than one hundred or more than five hundred dollars. Each day of violation of a rule or stop work order issued under this section shall be considered a separate violation subject to a civil fine.

(2) The person to whom a stop work order is issued under this section may appeal the order to the court of common pleas of the county in which it was issued, seeking any equitable or other appropriate relief from that order.

(3) No stop work order shall be issued under this section against any public highway, transportation, or drainage improvement or maintenance project undertaken by a government agency or political subdivision in accordance with a statement of its standard sediment control policies that is approved by the board or the chief of the division of soil and water resources in the department of natural resources.

(F) No person shall violate any rule adopted or order issued under this section. Notwithstanding division (E) of this section, if the board of county commissioners determines that a violation of any rule adopted or administrative order issued under this section exists, the board may request, in writing, the prosecuting attorney of the county to seek an injunction or other appropriate relief in the court of common pleas to abate excessive erosion or sedimentation and secure compliance with the rules or order. In granting relief, the court of common pleas may order the construction of sediment control

improvements or implementation of other control measures and may 2497  
assess a civil fine of not less than one hundred or more than 2498  
five hundred dollars. Each day of violation of a rule adopted or 2499  
administrative order issued under this section shall be 2500  
considered a separate violation subject to a civil fine. 2501

**Sec. 307.791.** The question of repeal of a county sediment 2502  
control rule adopted under section 307.79 of the Revised Code 2503  
may be initiated by filing with the board of elections of the 2504  
county not less than ninety days before the general or primary 2505  
election in any year a petition requesting that an election be 2506  
held on such question. Such petition shall be signed by 2507  
qualified electors residing in the county equal in number to ten 2508  
per cent of those voting for governor at the most recent 2509  
gubernatorial election in the county. 2510

After determination by it that such petition is valid, the 2511  
board of elections shall submit the question to the electors of 2512  
the county at the next general or primary election. The election 2513  
shall be conducted, canvassed, and certified in the same manner 2514  
as regular elections for county offices in the county. Notice of 2515  
the election shall be published ~~in a newspaper of general~~ 2516  
~~circulation in the county~~ once a week for two consecutive weeks 2517  
~~prior to before the election or as provided in section 7.16 of~~ 2518  
~~the Revised Code, using at least one of the following methods:~~ 2519

(A) In the print or digital edition of a newspaper of 2520  
general circulation within the county; 2521

(B) On the official public notice web site established 2522  
under section 125.182 of the Revised Code; 2523

(C) On the web site and social media account of the 2524  
county. If 2525

If the board of elections operates and maintains a web 2526  
site, notice of the election also shall be posted on that web 2527  
site for thirty days prior to the election. The notice shall 2528  
state the purpose, time, and place of the election and a 2529  
succinct summary of each rule sought to be repealed. The form of 2530  
the ballot cast at such election shall be prescribed by the 2531  
secretary of state. The question covered by such petition shall 2532  
be submitted as a separate proposition, but it may be printed on 2533  
the same ballot with any other proposition submitted at the same 2534  
election other than the election of officers. If a majority of 2535  
the qualified electors voting on the question of repeal approve 2536  
the repeal, the result of the election shall be certified 2537  
immediately after the canvass by the board of elections to the 2538  
board of county commissioners, who shall thereupon rescind the 2539  
rule. 2540

**Sec. 307.81.** (A) Where lands have been dedicated to or for 2541  
the use of the public for parks or park lands, and where such 2542  
lands have remained unimproved and unused by the public and 2543  
there appears to be little or no possibility that such lands 2544  
will be improved and used by the public, the board of county 2545  
commissioners of the county in which the lands are located may, 2546  
by resolution, declare such parks or park lands vacated upon the 2547  
petition of a majority of the abutting freeholders. No such 2548  
parks or park lands shall be vacated unless notice of the 2549  
pendency and prayer of the petition is given ~~in a newspaper of~~ 2550  
~~general circulation in the county in which such lands are~~ 2551  
~~situated~~ for three consecutive weeks preceding action on such 2552  
petition ~~or as provided in section 7.16 of the Revised Code~~ using 2553  
at least one of the following methods: 2554

(1) In the print or digital edition of a newspaper of 2555  
general circulation within the county; 2556

(2) On the official public notice web site established 2557  
under section 125.182 of the Revised Code; 2558

(3) On the web site and social media account of the 2559  
county. ~~No~~ 2560

No such lands shall be vacated ~~prior to~~ before a public 2561  
hearing had thereon. 2562

(B) Before the board of county commissioners may act on a 2563  
petition to vacate unimproved and unused parks or park lands 2564  
under division (A) of this section, the board shall offer such 2565  
parks or park lands to all political subdivisions described in 2566  
division (C) of this section. The board shall give notice to 2567  
those political subdivisions by first class mail that the parks 2568  
or park lands may be declared vacated unless the board of county 2569  
commissioners accepts an offer from another political 2570  
subdivision to buy or lease the lands. The failure of delivery 2571  
of any such notice does not invalidate any proceedings for the 2572  
disposition of parks or park lands under this division. Any such 2573  
political subdivision that wishes to buy or lease the parks or 2574  
park lands shall make an offer for the lands to the board in 2575  
writing not later than ninety days after receiving the notice. 2576  
The board may reject any offer, except that if it receives an 2577  
offer in which the political subdivision agrees to use the lands 2578  
for park purposes and in which the board finds all of the other 2579  
terms acceptable, the board shall accept that offer. No offer 2580  
shall be accepted until notice of the offer is published for 2581  
three consecutive weeks ~~in a newspaper of general circulation in~~ 2582  
~~the county in which the lands are situated or as provided in~~ 2583  
~~section 7.16 of the Revised Code,~~ and a public hearing is held. 2584  
The notice shall be published using at least one of the 2585  
following methods: 2586



(1) In the print or digital edition of a newspaper of 2587  
general circulation within the county; 2588

(2) On the official public notice web site established 2589  
under section 125.182 of the Revised Code; 2590

(3) On the web site and social media account of the 2591  
county. 2592

Proceeds from the sale or lease of the lands shall be 2593  
placed in the general fund of the county and be disbursed as 2594  
prescribed in section 307.82 of the Revised Code. Any deed 2595  
conveying the lands shall be executed as provided in that 2596  
section. 2597

(C) In order to receive a notice or to make an offer 2598  
regarding parks or park lands under division (B) of this 2599  
section, a political subdivision must meet both of the following 2600  
conditions: 2601

(1) Have the authority to acquire, develop, and maintain 2602  
public parks or recreation areas; 2603

(2) Contain the parks or park lands in question within its 2604  
boundaries, or adjoin a political subdivision that contains 2605  
those parks or park lands within its boundaries. 2606

**Sec. 307.82.** Upon the vacation of parks or park lands, the 2607  
board of county commissioners shall offer such lands for sale at 2608  
a public auction at the courthouse of the county in which such 2609  
lands are situated. No lands shall be sold until the board gives 2610  
notice of intention to sell such lands. Such notice shall be 2611  
published once a week for four consecutive weeks ~~in~~ using at 2612  
least one of the following methods: 2613

(A) In the print or digital edition of a newspaper of 2614

general circulation in the county in which sale is to be had ~~or~~ 2615  
~~as provided in section 7.16 of the Revised Code;~~ 2616

(B) On the official public notice web site established 2617  
under section 125.182 of the Revised Code; 2618

(C) On the web site and social media account of the county 2619  
in which sale is to be had.~~The~~ 2620

The board shall sell such lands to the highest and best 2621  
bidder, provided, the board may reject any and all bids made 2622  
hereunder. 2623

When such sale is made, the auditor of the county in which 2624  
sale is had and in which such lands are located, shall enter 2625  
into a deed, conveying said lands to the purchaser thereof. At 2626  
the time of sale, the auditor shall place the lands sold 2627  
hereunder on the tax duplicate of the county at a value to be 2628  
established by the auditor as in cases where the auditor re- 2629  
enters property which has been tax exempt on the taxable list of 2630  
the county. 2631

The proceeds from the sale of lands sold pursuant to this 2632  
section shall be placed in the general fund of the county in 2633  
which such lands are located and may be disbursed as other 2634  
general fund moneys. 2635

**Sec. 307.83.** When real estate which has been dedicated to 2636  
or for the use of the public for parks or park lands is vacated 2637  
by the board of county commissioners pursuant to division (A) of 2638  
section 307.81 of the Revised Code or is to be sold or leased 2639  
for nonpark use under division (B) of that section, and where 2640  
reversionary interests have been set up in the event of the non- 2641  
use of such lands for the dedicated purpose, such reversionary 2642  
interests shall accelerate and vest in the holders thereof upon 2643

such vacation, or prior to the acceptance of an offer to buy or 2644  
lease the land. Thereupon the auditor of the county shall place 2645  
the lands on the tax duplicate of the county in the names of 2646  
such reversioners as are known to the board of county 2647  
commissioners. If the board is unable to establish the names of 2648  
such reversioners, it shall fix a date on or before which claims 2649  
to such real estate may be asserted and after which such real 2650  
estate shall be sold or leased. The board shall give notice of 2651  
such date and of the sale or lease to be held thereafter, once 2652  
each week for four consecutive weeks ~~in~~ using at least one of 2653  
the following methods: 2654

(A) In the print or digital edition of a newspaper of 2655  
general circulation in the county wherein such lands are located 2656  
~~or as provided in section 7.16 of the Revised Code;~~ 2657

(B) On the official public notice web site established 2658  
under section 125.182 of the Revised Code; 2659

(C) On the web site and social media account of the county 2660  
wherein such lands are located. ~~In~~ 2661

In the event that no claims to such lands are asserted or 2662  
found to be valid, the lands shall be sold pursuant to section 2663  
307.82 of the Revised Code in the case of a vacation of the 2664  
lands pursuant to division (A) of section 307.81 of the Revised 2665  
Code, or be sold or leased pursuant to division (B) of section 2666  
307.81 of the Revised Code if an agreement with a political 2667  
subdivision is entered into under that division, and the title 2668  
of any holders of reversionary interests shall be extinguished. 2669

**Sec. 307.87.** Where competitive bidding is required by 2670  
section 307.86 of the Revised Code, notice thereof shall be 2671  
given in the following manner: 2672

(A) Notice shall be published once a week for not less 2673  
than two consecutive weeks preceding the day of the opening of 2674  
bids ~~in a newspaper of general circulation within the county for~~ 2675  
any purchase, lease, lease with option or agreement to purchase, 2676  
or construction contract in excess of ~~fifty thousand dollars~~the 2677  
amount specified in section 9.17 of the Revised Code, using at 2678  
least one of the following methods: 2679

(1) In the print or digital edition of a newspaper of 2680  
general circulation within the county; 2681

(2) On the official public notice web site established 2682  
under section 125.182 of the Revised Code; 2683

(3) On the web site and social media account of the 2684  
county. ~~The contracting authority may also cause notice to be~~ 2685  
~~inserted in trade papers or other publications designated by it~~ 2686  
~~or to be distributed by electronic means, including posting the~~ 2687  
~~notice on the contracting authority's internet site on the world~~ 2688  
~~wide web. If the contracting authority posts the notice on that~~ 2689  
~~location on the world wide web, it may eliminate the second~~ 2690  
~~notice otherwise required to be published in a newspaper of~~ 2691  
~~general circulation within the county, provided that the first~~ 2692  
~~notice published in such a newspaper meets all of the following~~ 2693  
~~requirements:~~ 2694

~~(1) It is published at least two weeks before the opening~~ 2695  
~~of bids.~~ 2696

~~(2) It includes a statement that the notice is posted on~~ 2697  
~~the contracting authority's internet site on the world wide web.~~ 2698

~~(3) It includes the internet address of the contracting~~ 2699  
~~authority's internet site on the world wide web.~~ 2700

~~(4) It includes instructions describing how the notice may~~ 2701

~~be accessed on the contracting authority's internet site on the~~ 2702  
~~world wide web.~~ 2703

(B) Notices shall state all of the following: 2704

(1) A general description of the subject of the proposed 2705  
contract and the time and place where the plans and 2706  
specifications or itemized list of supplies, facilities, or 2707  
equipment and estimated quantities can be obtained or examined; 2708

(2) The time and place where bids will be opened; 2709

(3) The time and place for filing bids; 2710

(4) The terms of the proposed purchase; 2711

(5) Conditions under which bids will be received. 2712

(C) The contracting authority shall also maintain in a 2713  
public place in its office or other suitable public place a 2714  
bulletin board upon which it shall post and maintain a copy of 2715  
such notice for at least two weeks preceding the day of the 2716  
opening of the bids. 2717

**Sec. 307.88.** (A) Bids submitted pursuant to sections 2718  
307.86 to 307.92 of the Revised Code shall be in a form 2719  
prescribed by the contracting authority and filed in the manner 2720  
and at the time and place mentioned in the notice. The bids 2721  
received shall be opened and tabulated at the time stated in the 2722  
notice. Each bid shall contain the full name of each person 2723  
submitting the bid. If the bid is in excess of ~~fifty thousand~~ 2724  
~~dollars~~ the amount specified in section 9.17 of the Revised Code 2725  
and for a contract for the construction, demolition, alteration, 2726  
repair, or reconstruction of an improvement, it shall meet the 2727  
requirements of section 153.54 of the Revised Code. If the bid 2728  
is in excess of ~~fifty thousand dollars~~ the amount specified in 2729

section 9.17 of the Revised Code and for any other contract 2730  
authorized by sections 307.86 to 307.92 of the Revised Code, it 2731  
may be accompanied by a bond or certified check, cashier's 2732  
check, or money order on a solvent bank or savings and loan 2733  
association in a reasonable amount stated in the notice but not 2734  
to exceed five per cent of the bid, conditioned that the bidder, 2735  
if the bidder's bid is accepted, shall execute a contract in 2736  
conformity to the invitation and the bid. 2737

(B) The board of county commissioners, by a unanimous vote 2738  
of the entire board, may permit a contracting authority to 2739  
exempt a bid from any or all of the requirements of section 2740  
153.54 of the Revised Code if the estimated cost is one hundred 2741  
thousand dollars or less. If the board exempts a bid from any 2742  
but not all of those requirements, the bid notice published ~~in~~ 2743  
~~the newspaper~~ pursuant to section 307.87 of the Revised Code 2744  
shall state the specific bid guaranty requirements that apply. 2745  
If the board exempts a bid from all requirements of section 2746  
153.54 of the Revised Code, the notice shall state that none of 2747  
the requirements of that section apply. 2748

Sec. 307.901. (A) As used in this section, "county" 2749  
includes any agency, department, authority, commission, office, 2750  
or board of a county. 2751

(B) Except as otherwise required or permitted by state or 2752  
federal law, a contract entered into by the contracting 2753  
authority for the procurement of goods or services shall not 2754  
include any of the following: 2755

(1) A provision that requires the county to indemnify or 2756  
hold harmless another person; 2757

(2) A provision by which the county agrees to binding 2758

arbitration or any other binding extra-judicial dispute 2759  
resolution process; 2760

(3) A provision that names a venue for any action or 2761  
dispute against the county other than a court of proper 2762  
jurisdiction in the county; 2763

(4) A provision that requires the county to agree to limit 2764  
the liability for any direct loss to the county for bodily 2765  
injury, death, or damage to property of the county caused by the 2766  
negligence, intentional or willful misconduct, fraudulent act, 2767  
recklessness, or other tortious conduct of a person or a 2768  
person's employees or agents, or a provision that otherwise 2769  
imposes an indemnification obligation on the county; 2770

(5) A provision that requires the county to be bound by a 2771  
term or condition that is unknown to the county at the time of 2772  
signing a contract, that is not specifically negotiated with the 2773  
county, that may be unilaterally changed by the other party, or 2774  
that is electronically accepted by a county employee; 2775

(6) A provision that provides for a person other than the 2776  
prosecuting attorney, or an attorney employed pursuant to 2777  
section 305.14 or 309.09 of the Revised Code, to serve as legal 2778  
counsel for the county; 2779

(7) A provision that is inconsistent with the county's 2780  
obligations under section 149.43 of the Revised Code; 2781

(8) A provision that limits the county's ability to 2782  
recover the cost for a replacement contractor. 2783

(C) If a contract contains a term or condition described 2784  
in division (B) of this section, the term or condition is void 2785  
ab initio, and the contract containing that term or condition 2786  
otherwise is enforceable as if it did not contain such term or 2787

condition. 2788

(D) A contract that contains a term or condition described 2789  
in division (B) of this section shall be governed by and 2790  
construed in accordance with Ohio law notwithstanding any term 2791  
or condition to the contrary in the contract. 2792

(E) This section does not apply to a contract in effect 2793  
before the effective date of this section or to the renewal or 2794  
extension of a contract in effect before the effective date of 2795  
this section. 2796

**Sec. 307.981.** (A) (1) As used in the Revised Code: 2797

(a) "County family services agency" means all of the 2798  
following: 2799

(i) A child support enforcement agency; 2800

(ii) A county department of job and family services; 2801

(iii) A public children services agency. 2802

(b) "Family services duty" means a duty state law requires 2803  
or allows a county family services agency to assume, including 2804  
financial and general administrative duties. "Family services 2805  
duty" does not include a duty funded by the United States 2806  
department of labor. 2807

(2) As used in sections 307.981 to 307.989 of the Revised 2808  
Code, "private entity" means an entity other than a government 2809  
entity. 2810

(B) To the extent permitted by federal law, including, 2811  
when applicable, subpart F of 5 C.F.R. part 900, and subject to 2812  
any limitations established by the Revised Code, including 2813  
division (H) of this section, a board of county commissioners 2814



may designate any private or government entity within this state 2815  
to serve as any of the following: 2816

(1) A child support enforcement agency; 2817

(2) A county department of job and family services; 2818

(3) A public children services agency; 2819

(4) A county department of job and family services and one 2820  
other of those county family services agencies; 2821

(5) All three of those county family services agencies. 2822

(C) To the extent permitted by federal law, including, 2823  
when applicable, subpart F of 5 C.F.R. part 900, and subject to 2824  
any limitations of the Revised Code, including division (H) of 2825  
this section, a board of county commissioners may change the 2826  
designation it makes under division (B) of this section by 2827  
designating another private or government entity. 2828

(D) If a designation under division (B) or (C) of this 2829  
section constitutes a change from the designation in a grant 2830  
agreement between the director of job and family services, or 2831  
the director of children and youth, and the board under sections 2832  
307.98 and 5101.21 of the Revised Code, the directors may 2833  
require that the directors and board amend the grant agreement 2834  
and that the board provide the directors written assurances that 2835  
the newly designated private or government entity will meet or 2836  
exceed all requirements of the family services duties the entity 2837  
is to assume. 2838

(E) Not less than sixty days before a board of county 2839  
commissioners designates an entity under division (B) or (C) of 2840  
this section, the board shall notify the director of job and 2841  
family services and department of children and youth and publish 2842

~~notice in a newspaper of general circulation in the county of~~ 2843  
the board's intention to make the designation and reasons for 2844  
the designation using at least one of the following methods: 2845

(1) In the print or digital edition of a newspaper of 2846  
general circulation within the county; 2847

(2) On the official public notice web site established 2848  
under section 125.182 of the Revised Code; 2849

(3) On the web site and social media account of the 2850  
county. 2851

(F) A board of county commissioners shall enter into a 2852  
written contract with each entity it designates under division 2853  
(B) or (C) of this section specifying the entity's 2854  
responsibilities and standards the entity is required to meet. 2855

(G) This section does not require a board of county 2856  
commissioners to abolish the child support enforcement agency, 2857  
county department of job and family services, or public children 2858  
services agency serving the county on October 1, 1997, and 2859  
designate a different private or government entity to serve as 2860  
the county's child support enforcement agency, county department 2861  
of job and family services, or public children services agency. 2862

(H) If a county children services board appointed under 2863  
section 5153.03 of the Revised Code serves as a public children 2864  
services agency for a county, the board of county commissioners 2865  
may not redesignate the public children services agency unless 2866  
the board of county commissioners does all of the following: 2867

(1) Notifies the county children services board of its 2868  
intent to redesignate the public children services agency. In 2869  
its notification, the board of county commissioners shall 2870  
provide the county children services board a written explanation 2871

of the administrative, fiscal, or performance considerations 2872  
causing the board of county commissioners to seek to redesignate 2873  
the public children services agency. 2874

(2) Provides the county children services board an 2875  
opportunity to comment on the proposed redesignation before the 2876  
redesignation occurs; 2877

(3) If the county children services board, not more than 2878  
sixty days after receiving the notice under division (H) (1) of 2879  
this section, notifies the board of county commissioners that 2880  
the county children services board has voted to oppose the 2881  
redesignation, votes unanimously to proceed with the 2882  
redesignation. 2883

**Sec. 309.09.** (A) The prosecuting attorney shall be the 2884  
legal adviser of the board of county commissioners, board of 2885  
elections, all other county officers and boards, and all tax- 2886  
supported public libraries, and any of them may require written 2887  
opinions or instructions from the prosecuting attorney in 2888  
matters connected with their official duties. The prosecuting 2889  
attorney shall prosecute and defend all suits and actions that 2890  
any such officer, board, or tax-supported public library directs 2891  
or to which it is a party, and no county officer may employ any 2892  
other counsel or attorney at the expense of the county, except 2893  
as provided in section 305.14 of the Revised Code. 2894

(B) (1) The prosecuting attorney shall be the legal adviser 2895  
for all township officers, boards, and commissions, unless, 2896  
subject to division (B) (2) of this section, the township has 2897  
adopted a limited home rule government pursuant to Chapter 504. 2898  
of the Revised Code and has not entered into a contract to have 2899  
the prosecuting attorney serve as the township law director, in 2900  
which case, subject to division (B) (2) of this section, the 2901

township law director, whether serving full-time or part-time, 2902  
shall be the legal adviser for all township officers, boards, 2903  
and commissions. When the board of township trustees finds it 2904  
advisable or necessary to have additional legal counsel, it may 2905  
employ an attorney other than the township law director or the 2906  
prosecuting attorney of the county, either for a particular 2907  
matter or on an annual basis, to represent the township and its 2908  
officers, boards, and commissions in their official capacities 2909  
and to advise them on legal matters. No such legal counsel may 2910  
be employed, except on the order of the board of township 2911  
trustees, duly entered upon its journal, in which the 2912  
compensation to be paid for the legal services shall be fixed. 2913  
The compensation shall be paid from the township fund. 2914

Nothing in this division confers any of the powers or 2915  
duties of a prosecuting attorney under section 309.08 of the 2916  
Revised Code upon a township law director. 2917

(2) (a) If any township in the county served by the 2918  
prosecuting attorney has adopted any resolution regarding the 2919  
operation of adult entertainment establishments pursuant to the 2920  
authority that is granted under section 503.52 of the Revised 2921  
Code, or if a resolution of that nature has been adopted under 2922  
section 503.53 of the Revised Code in a township in the county 2923  
served by the prosecuting attorney, all of the following apply: 2924

(i) Upon the request of a township in the county that has 2925  
adopted, or in which has been adopted, a resolution of that 2926  
nature that is made pursuant to division (E) (1) (c) of section 2927  
503.52 of the Revised Code, the prosecuting attorney shall 2928  
prosecute and defend on behalf of the township in the trial and 2929  
argument in any court or tribunal of any challenge to the 2930  
validity of the resolution. If the challenge to the validity of 2931

the resolution is before a federal court, the prosecuting attorney may request the attorney general to assist the prosecuting attorney in prosecuting and defending the challenge and, upon the prosecuting attorney's making of such a request, the attorney general shall assist the prosecuting attorney in performing that service if the resolution was drafted in accordance with legal guidance provided by the attorney general as described in division (B) (2) of section 503.52 of the Revised Code. The attorney general shall provide this assistance without charge to the township for which the service is performed. If a township adopts a resolution without the legal guidance of the attorney general, the attorney general is not required to provide assistance as described in this division to a prosecuting attorney.

(ii) Upon the request of a township in the county that has adopted, or in which has been adopted, a resolution of that nature that is made pursuant to division (E) (1) (a) of section 503.52 of the Revised Code, the prosecuting attorney shall prosecute and defend on behalf of the township a civil action to enjoin the violation of the resolution in question.

(iii) Upon the request of a township in the county that has adopted, or in which has been adopted, a resolution of that nature that is made pursuant to division (E) (1) (b) of section 503.52 of the Revised Code, the prosecuting attorney shall prosecute and defend on behalf of the township a civil action under Chapter 3767. of the Revised Code to abate as a nuisance the place in the unincorporated area of the township at which the resolution is being or has been violated. Proceeds from the sale of personal property or contents seized pursuant to the action shall be applied and deposited in accordance with division (E) (1) (b) of section 503.52 of the Revised Code.

(b) Division (B)(2)(a) of this section applies regarding 2963  
all townships, including townships that have adopted a limited 2964  
home rule government pursuant to Chapter 504. of the Revised 2965  
Code, and regardless of whether a township that has so adopted a 2966  
limited home rule government has entered into a contract with 2967  
the prosecuting attorney as described in division (B) of section 2968  
504.15 of the Revised Code or has appointed a law director as 2969  
described in division (A) of that section. 2970

The prosecuting attorney shall prosecute and defend in the 2971  
actions and proceedings described in division (B)(2)(a) of this 2972  
section without charge to the township for which the services 2973  
are performed. 2974

(C) Whenever the board of county commissioners employs an 2975  
attorney other than the prosecuting attorney of the county, 2976  
without the authorization of the court of common pleas as 2977  
provided in section 305.14 of the Revised Code, either for a 2978  
particular matter or on an annual basis, to represent the board 2979  
in its official capacity and to advise it on legal matters, the 2980  
board shall enter upon its journal an order of the board in 2981  
which the compensation to be paid for the legal services shall 2982  
be fixed. The compensation shall be paid from the county general 2983  
fund. The total compensation paid, in any year, by the board for 2984  
legal services under this division shall not exceed the total 2985  
annual compensation of the prosecuting attorney for that county. 2986

(D) The prosecuting attorney and the board of county 2987  
commissioners jointly may contract with a board of park 2988  
commissioners under section 1545.07 of the Revised Code for the 2989  
prosecuting attorney to provide legal services to the park 2990  
district the board of park commissioners operates. 2991

(E) The prosecuting attorney may be, in the prosecuting 2992

attorney's discretion and with the approval of the board of 2993  
county commissioners, the legal adviser of a joint fire district 2994  
created under section 505.371 of the Revised Code at no cost to 2995  
the district, or may be the legal adviser to the district under 2996  
a contract that the prosecuting attorney and the district enter 2997  
into, and that the board of county commissioners approves, to 2998  
authorize the prosecuting attorney to provide legal services to 2999  
the district. 3000

(F) The prosecuting attorney may be, in the prosecuting 3001  
attorney's discretion and with the approval of the board of 3002  
county commissioners, the legal adviser of a joint ambulance 3003  
district created under section 505.71 of the Revised Code at no 3004  
cost to the district, or may be the legal adviser to the 3005  
district under a contract that the prosecuting attorney and the 3006  
district enter into, and that the board of county commissioners 3007  
approves, to authorize the prosecuting attorney to provide legal 3008  
services to the district. 3009

(G) The prosecuting attorney may be, in the prosecuting 3010  
attorney's discretion and with the approval of the board of 3011  
county commissioners, the legal adviser of a joint emergency 3012  
medical services district created under section 307.052 of the 3013  
Revised Code at no cost to the district, or may be the legal 3014  
adviser to the district under a contract that the prosecuting 3015  
attorney and the district enter into, and that the board of 3016  
county commissioners approves, to authorize the prosecuting 3017  
attorney to provide legal services to the district. 3018

(H) The prosecuting attorney may be, in the prosecuting 3019  
attorney's discretion and with the approval of the board of 3020  
county commissioners, the legal adviser of a fire and ambulance 3021  
district created under section 505.375 of the Revised Code at no 3022

cost to the district, or may be the legal adviser to the 3023  
district under a contract that the prosecuting attorney and the 3024  
district enter into, and that the board of county commissioners 3025  
approves, to authorize the prosecuting attorney to provide legal 3026  
services to the district. 3027

(I) The prosecuting attorney may be, in the prosecuting 3028  
attorney's discretion and with the approval of the board of 3029  
county commissioners, the legal adviser to the board of trustees 3030  
of a regional airport authority created under Chapter 308. of 3031  
the Revised Code or the board of directors of a port authority 3032  
created under Chapter 4582. of the Revised Code under a contract 3033  
that the prosecuting attorney and the board of trustees or board 3034  
of directors enter into. If the regional airport authority or 3035  
port authority covers territory in more than one county, the 3036  
board of trustees or board of directors may choose the 3037  
prosecuting attorney with whom it enters into such contract, 3038  
with the approval of the board of county commissioners of that 3039  
county. The contract may provide for the payment of a fee to the 3040  
prosecuting attorney for legal services agreed to under the 3041  
contract. 3042

(J) The prosecuting attorney may be, in the prosecuting 3043  
attorney's discretion and with the approval of the board of 3044  
county commissioners, the legal adviser to a regional planning 3045  
commission created under section 713.21 of the Revised Code 3046  
under a contract that the prosecuting attorney and commission 3047  
enter into. If the regional planning commission covers a region 3048  
in more than one county, the commission may choose the 3049  
prosecuting attorney with whom it enters into such contract, 3050  
with the approval of the board of county commissioners of that 3051  
county. The contract may provide for the payment of a fee to the 3052  
prosecuting attorney for legal services agreed to under the 3053



contract. 3054

(K) The prosecuting attorney may be, in the prosecuting 3055  
attorney's discretion and with the approval of the board of 3056  
county commissioners, the legal adviser to a regional council of 3057  
governments created under Chapter 167. of the Revised Code under 3058  
a contract that the prosecuting attorney and council enter into. 3059  
If the regional council of governments covers a region in more 3060  
than one county, the council may choose the prosecuting attorney 3061  
with whom it enters into such contract, with the approval of the 3062  
board of county commissioners of that county. The contract may 3063  
provide for the payment of a fee to the prosecuting attorney for 3064  
legal services agreed to under the contract. 3065

(L) The prosecuting attorney may be, in the prosecuting 3066  
attorney's discretion and with the approval of the board of 3067  
county commissioners, the legal adviser to a metropolitan 3068  
planning organization, or to a regional transportation planning 3069  
organization that has been designated by the governor under 23 3070  
U.S.C. 135, under a contract that the prosecuting attorney and 3071  
organization enter into. If the organization covers a region in 3072  
more than one county, the organization may choose the 3073  
prosecuting attorney with whom it enters into such contract, 3074  
with the approval of the board of county commissioners of that 3075  
county. The contract may provide for the payment of a fee to the 3076  
prosecuting attorney for legal services agreed to under the 3077  
contract. 3078

(M) The prosecuting attorney may be, in the prosecuting 3079  
attorney's discretion and with the approval of the board of 3080  
county commissioners, the legal adviser to a transportation 3081  
improvement district created under Chapter 5540. of the Revised 3082  
Code under a contract between the prosecuting attorney and the 3083

transportation improvement district. The contract may provide 3084  
for the payment of a fee to the prosecuting attorney for legal 3085  
services agreed to under the contract. 3086

(N) All money received pursuant to a contract entered into 3087  
under division (D), (E), (F), (G), (H), (I), (J), (K), ~~or (L)~~, 3088  
or (M) of this section shall be deposited into the prosecuting 3089  
attorney's legal services fund, which shall be established in 3090  
the county treasury of each county in which such a contract 3091  
exists. Moneys in that fund may be appropriated only to the 3092  
prosecuting attorney for the purpose of providing legal services 3093  
to a park district, joint fire district, joint ambulance 3094  
district, joint emergency medical services district, fire and 3095  
ambulance district, regional airport authority, port authority, 3096  
regional planning commission, regional council of governments, 3097  
metropolitan planning organization, ~~or~~ regional transportation 3098  
planning organization, or transportation improvement district as 3099  
applicable, under a contract entered into under the applicable 3100  
division. 3101

~~(N)~~ (O) The prosecuting attorney shall be the legal 3102  
adviser of a lake facilities authority as provided in section 3103  
353.02 of the Revised Code. 3104

**Sec. 313.02.** (A) (1) Except as provided in division (A) (2) 3105  
of this section, ~~no person shall to~~ be eligible to the office of 3106  
coroner ~~except~~, a person shall be a physician who has been is 3107  
licensed under Chapter 4731. of the Revised Code to practice as 3108  
~~a physician in this state for a period of at least two years~~ 3109  
~~immediately preceding election or appointment as a~~ 3110  
~~coroner~~ medicine and surgery or osteopathic medicine and surgery, 3111  
and who is in good standing in the person's profession. For a 3112  
county other than a charter county, the person also shall have 3113

been licensed under Chapter 4731. of the Revised Code to 3114  
practice medicine and surgery or osteopathic medicine and 3115  
surgery for a period of at least two years immediately preceding 3116  
election or appointment as coroner. 3117

~~(2) No person shall be eligible to the office of coroner~~ 3118  
~~of a charter county except a physician who is licensed to~~ 3119  
~~practice as a physician in this state and who is in good~~ 3120  
~~standing in the person's profession~~ Division (A) (1) of this 3121  
section does not prohibit a person elected to the office of 3122  
coroner who holds that office on the effective date of this 3123  
amendment, but who does not meet the eligibility conditions 3124  
described in that division, from doing any of the following 3125  
after that date: 3126

(a) Continuing to hold the office of coroner of that 3127  
county until the person's term of office expires; 3128

(b) Seeking reelection as coroner of that county for one 3129  
or more subsequent terms of office and, if reelected, continuing 3130  
to hold the office for the duration of any subsequent term. 3131

(B) (1) Beginning in calendar year 2000 and in each fourth 3132  
year thereafter, each newly elected coroner, after the general 3133  
election but prior to commencing the term of office to which 3134  
elected, shall attend and successfully complete sixteen hours of 3135  
continuing education at programs sponsored by the Ohio state 3136  
coroners association. Within ninety days after appointment to 3137  
the office of coroner under section 305.02 of the Revised Code, 3138  
the newly appointed coroner shall attend and successfully 3139  
complete sixteen hours of continuing education at programs 3140  
sponsored by the association. Hours of continuing education 3141  
completed under the requirement described in division (B) (1) of 3142  
this section shall not be counted toward fulfilling the 3143

continuing education requirement described in division (B) (2) of 3144  
this section. 3145

As used in division (B) (1) of this section, "newly elected 3146  
coroner" means a person who did not hold the office of coroner 3147  
on the date the person was elected coroner. 3148

(2) Except as otherwise provided in division (B) (2) of 3149  
this section, beginning in calendar year 2001, each coroner, 3150  
during the coroner's four-year term, shall attend and 3151  
successfully complete thirty-two hours of continuing education 3152  
at programs sponsored by the Ohio state coroners association. 3153  
Except as otherwise provided in division (B) (2) of this section, 3154  
each coroner shall attend and successfully complete twenty-four 3155  
of these thirty-two hours at statewide meetings, and eight of 3156  
these thirty-two hours at regional meetings, sponsored by the 3157  
association. The association may approve attendance at 3158  
continuing education programs it does not sponsor but, if 3159  
attendance is approved, successful completion of hours at these 3160  
programs shall be counted toward fulfilling only the twenty- 3161  
four-hour requirement described in division (B) (2) of this 3162  
section. 3163

(3) Upon successful completion of a continuing education 3164  
program required by division (B) (1) or (2) of this section, the 3165  
person who successfully completes the program shall receive from 3166  
the association or the sponsoring organization a certificate 3167  
indicating that the person successfully completed the program. 3168

**Sec. 313.10.** (A) (1) Except as otherwise provided in this 3169  
section, the records of the coroner who has jurisdiction over 3170  
the case, including, but not limited to, the detailed 3171  
descriptions of the observations written during the progress of 3172  
an autopsy and the conclusions drawn from those observations 3173

filed in the office of the coroner under division (A) of section 3174  
313.13 of the Revised Code, made personally by the coroner or by 3175  
anyone acting under the coroner's direction or supervision, are 3176  
public records. Those records, or transcripts or photostatic 3177  
copies of them, certified by the coroner shall be received as 3178  
evidence in any criminal or civil action or proceeding in a 3179  
court in this state, as to the facts contained in those records. 3180  
The coroner of the county where the death was pronounced shall 3181  
be responsible for the release of all public records relating to 3182  
that death. 3183

(2) Except as otherwise provided in division (D) or (E) of 3184  
this section, the following records in a coroner's office are 3185  
not public records: 3186

(a) Preliminary autopsy and investigative notes and 3187  
findings made by the coroner or by anyone acting under the 3188  
coroner's direction or supervision; 3189

(b) Photographs of a decedent made by the coroner or by 3190  
anyone acting under the coroner's direction or supervision; 3191

(c) Suicide notes; 3192

(d) Medical and psychiatric records provided to the 3193  
coroner, a deputy coroner, or a representative of the coroner or 3194  
a deputy coroner under section 313.091 of the Revised Code; 3195

(e) Records of a deceased individual that are confidential 3196  
law enforcement investigatory records as defined in section 3197  
149.43 of the Revised Code; 3198

(f) Laboratory reports generated from the analysis of 3199  
physical evidence by the coroner's laboratory that is 3200  
discoverable under Criminal Rule 16. 3201

(3) In the coroner's discretion, photographs of a decedent 3202  
may be used for medical, legal, or educational purposes. 3203

(B) All records in the coroner's office that are public 3204  
records are open to inspection by the public, and any person may 3205  
receive a copy of any such record or part of it upon demand in 3206  
writing, accompanied by payment of a record retrieval and 3207  
copying fee, at the rate of twenty-five cents per page or a 3208  
minimum fee of one dollar. 3209

(C) (1) The coroner shall provide a copy of the full and 3210  
complete records of the coroner with respect to a decedent to a 3211  
person who makes a written request as the next of kin of the 3212  
decedent. The following persons may make a request pursuant to 3213  
this division as the next of kin of a decedent: 3214

(a) The surviving spouse of the decedent; 3215

(b) If there is no surviving spouse, or if the surviving 3216  
spouse has died without having made a request pursuant to this 3217  
division, any child of the decedent over eighteen years of age, 3218  
with each child over eighteen years of age having an independent 3219  
right to make a request pursuant to this division; 3220

(c) If there is no surviving spouse or child over eighteen 3221  
years of age, or if the surviving spouse and all children over 3222  
eighteen years of age have died without having made a request 3223  
pursuant to this division, the parents of the decedent, with 3224  
each parent having an independent right to make a request 3225  
pursuant to this division; 3226

(d) If there is no surviving spouse, child over eighteen 3227  
years of age, or parents of the decedent, or if all have died 3228  
without having made a request pursuant to this division, the 3229  
brothers and sisters of the decedent, whether of the whole or 3230

the half blood, with each having an independent right to make a 3231  
request pursuant to this division. 3232

(2) If there is no surviving person who may make a written 3233  
request as next of kin for a copy of the full and complete 3234  
records of the coroner pursuant to division (C)(1) of this 3235  
section, or if all next of kin of the decedent have died without 3236  
having made a request pursuant to that division, the coroner 3237  
shall provide a copy of the full and complete records of the 3238  
coroner with respect to a decedent to the representative of the 3239  
estate of the decedent who is the subject of the records upon 3240  
written request made by the representative. 3241

(D) A journalist may submit to the coroner a written 3242  
request to view suicide notes, photographs of the decedent made 3243  
by the coroner or by anyone acting under the coroner's 3244  
discretion or supervision, or preliminary autopsy and 3245  
investigative notes and findings but not records of a deceased 3246  
individual that are confidential law enforcement investigatory 3247  
records as defined in section 149.43 of the Revised Code. The 3248  
request shall include the journalist's name and title and the 3249  
name and address of the journalist's employer and state that the 3250  
granting of the request would be in the best interest of the 3251  
public. If a journalist submits a written request to the coroner 3252  
to view the records described in this division and the final 3253  
autopsy is not yet completed, the coroner ~~shall may~~ grant the 3254  
journalist's request. ~~The~~ After the final autopsy report and 3255  
final death certification are complete, if a journalist submits 3256  
a written request to the coroner to view the records described 3257  
in this division, the coroner shall grant the journalist's 3258  
request. 3259

A journalist shall not copy the preliminary autopsy and 3260

investigative notes and findings, suicide notes, or photographs 3261  
of the decedent. 3262

(E) (1) An insurer may submit to the coroner a written 3263  
request to obtain a copy of the full and complete records of the 3264  
coroner with respect to a deceased person. The request shall 3265  
include the name of the deceased person, the type of policy to 3266  
which the written request relates, and the name and address of 3267  
the insurer. 3268

(2) If an insurer submits a written request to the coroner 3269  
to obtain a copy of records pursuant to division (E) (1) of this 3270  
section, the coroner shall grant that request. 3271

(3) Upon the granting of a written request to obtain a 3272  
copy of records by the coroner, the insurer may utilize the 3273  
records for the following purposes: 3274

(a) To investigate any first party claim or third party 3275  
claim asserted under a policy of insurance issued by the insurer 3276  
that arises from the death of the deceased person; 3277

(b) To determine coverage for any first party claim or 3278  
third party claim asserted under a policy of insurance issued by 3279  
the insurer that arises from the death of the deceased person; 3280

(c) To determine the insurer's liability for any first 3281  
party claim or third party claim asserted under a policy of 3282  
insurance issued by the insurer that arises from the death of 3283  
the deceased person. 3284

(4) Prior to the delivery of records that are the subject 3285  
of a request made pursuant to division (E) (1) of this section, 3286  
the coroner may require the insurer who submitted the written 3287  
request for the records to provide a payment to the coroner of a 3288  
record retrieval and copying fee at the rate of twenty-five 3289



cents per page or a minimum fee of one dollar. 3290

(5) Any records produced by the coroner in response to a 3291  
written request under division (E)(1) of this section shall 3292  
remain in the care, custody, and control of the insurer and its 3293  
employees or representatives at all times. The insurer may not 3294  
release or disclose the records to any other person unless any 3295  
of the following apply: 3296

(a) The release of the records is reasonably necessary to 3297  
further a purpose described in division (E)(3) of this section. 3298

(b) A court of competent jurisdiction orders the insurer 3299  
to produce the records. 3300

(c) The insurer is required to produce the records in 3301  
response to a civil or criminal subpoena. 3302

(d) The insurer is responding to a request for the records 3303  
from a law enforcement agency, the department of insurance or a 3304  
department of insurance from another state, or another 3305  
governmental authority. 3306

(F) The coroner may contact the decedent's next of kin to 3307  
inform the next of kin that a journalist or an insurer has 3308  
submitted a written request pursuant to division (D) or (E) of 3309  
this section and whether the coroner has granted the 3310  
journalist's or the insurer's request. 3311

(G) As used in this section: 3312

(1) "Full and complete records of the coroner" includes, 3313  
but is not limited to, the following: 3314

(a) The detailed descriptions of the observations written 3315  
by the coroner or by anyone acting under the coroner's direction 3316  
or supervision during the progress of an autopsy and the 3317

conclusions drawn from those observations that are filed in the 3318  
office of the coroner under division (A) of section 313.13 of 3319  
the Revised Code; 3320

(b) Preliminary autopsy and investigative notes and 3321  
findings made by the coroner or by anyone acting under the 3322  
coroner's direction or supervision; 3323

(c) Photographs of a decedent made by the coroner or by 3324  
anyone acting under the coroner's direction or supervision; 3325

(d) Suicide notes; 3326

(e) Medical and psychiatric records provided to the 3327  
coroner, a deputy coroner, or a representative of the coroner or 3328  
a deputy coroner under section 313.091 of the Revised Code; 3329

(f) Records of a deceased individual that are confidential 3330  
law enforcement investigatory records as defined in section 3331  
149.43 of the Revised Code; 3332

(g) Laboratory reports generated from the analysis of 3333  
physical evidence by the coroner's laboratory that is 3334  
discoverable under Criminal Rule 16. 3335

(2) "Insurer" has the same meaning as in section 3901.07 3336  
of the Revised Code. 3337

(3) "Journalist" has the same meaning as in section 149.43 3338  
of the Revised Code. 3339

**Sec. 313.12.** ~~(A) (1) When any person dies as a result of~~ 3340  
~~criminal or other violent means, by casualty, by suicide, or in~~ 3341  
~~any suspicious or unusual manner, when any person, including a~~ 3342  
~~child under two years of age, dies suddenly when in apparent~~ 3343  
~~good health, or when any person with a developmental disability~~ 3344  
~~dies regardless of the circumstances~~ in circumstances as 3345

described in division (A) (2) of this section, the physician 3346  
called in attendance, ~~or any member of an ambulance service,~~ 3347  
~~emergency squad, or law enforcement agency and any of the~~ 3348  
following who obtains knowledge thereof arising from the 3349  
person's duties, shall immediately notify the office of the 3350  
coroner of the known facts concerning the time, place, manner, 3351  
and circumstances of the death, and any other information that 3352  
is required pursuant to sections 313.01 to 313.22 of the Revised 3353  
Code: 3354

(a) A health care worker caring for the person; 3355

(b) Any member of an ambulance service or emergency squad; 3356

(c) A law enforcement agency. 3357

(2) The notification required by division (A) (1) of this 3358  
section applies in all of the following circumstances: 3359

(a) When any person dies as a result of criminal or other 3360  
violent means, by casualty, by suicide, or in any suspicious or 3361  
unusual manner; 3362

(b) When any person, including a child under two years of 3363  
age, dies suddenly when in apparent good health; 3364

(c) When any person with a developmental disability dies 3365  
regardless of the circumstances. 3366

(3) In such cases, the case of a death in circumstances as 3367  
described in division (A) (2) of this section, if a request is 3368  
made for cremation, the funeral director called in attendance 3369  
shall immediately notify the coroner. 3370

(B) As used in this section, ~~"developmental;~~ 3371

(1) "Developmental disability" has the same meaning as in 3372

section 5123.01 of the Revised Code. 3373

(2) "Health care worker" means any individual licensed or 3374  
otherwise authorized by the state to practice a health care 3375  
profession and any other individual who provides health-related 3376  
services in any setting as part of the individual's employment 3377  
or otherwise for remuneration. 3378

**Sec. 313.14.** (A) (1) The coroner shall make a reasonable 3379  
effort to notify any known relatives of a deceased person who 3380  
meets death in the manner described by section 313.12 of the 3381  
Revised Code by letter or otherwise. The coroner shall also make 3382  
a reasonable effort to determine the identity of the person who 3383  
has been assigned the rights of disposition for the deceased 3384  
person under sections 2108.70 to 2108.90 of the Revised Code and 3385  
shall notify that person. After the coroner has completed the 3386  
performance of the coroner's legal duties with respect to the 3387  
body of the deceased person, the coroner shall return the body 3388  
to that person. 3389

(2) The coroner shall take charge and possession of all 3390  
moneys, clothing, and other valuable personal effects of the 3391  
deceased person, found in connection with or pertaining to the 3392  
body, and shall store the possessions in the county coroner's 3393  
office or such other suitable place as is provided for that 3394  
storage by the board of county commissioners. If the coroner 3395  
considers it advisable, the coroner may, after taking adequate 3396  
precautions for the security of those possessions, store the 3397  
possessions where the coroner finds them until other storage 3398  
space becomes available. The person who has been assigned the 3399  
rights of disposition for the deceased person under sections 3400  
2108.70 to 2108.90 of the Revised Code may request the coroner 3401  
to give those possessions to that person. After the person who 3402

has been assigned the rights of disposition for the deceased 3403  
person under sections 2108.70 to 2108.90 of the Revised Code, 3404  
upon the person's request under this division, receives the 3405  
possessions of the deceased person from the coroner, that person 3406  
shall deliver the possessions to the executor or administrator 3407  
of the estate of the deceased person or to any other person who 3408  
is legally entitled to any of those possessions. 3409

(B) In cases in which the cost of the burial is paid by 3410  
the county, after using such of the clothing as is necessary in 3411  
the burial of the body, the coroner shall sell at public auction 3412  
the valuable personal effects of the deceased persons, found in 3413  
connection with or pertaining to the unclaimed dead body, except 3414  
firearms, which shall be disposed of as provided in division (C) 3415  
of this section. The coroner shall make a verified inventory of 3416  
the effects and they shall be sold within eighteen months after 3417  
burial, or after delivery of the body in accordance with section 3418  
1713.34 of the Revised Code. All moneys derived from the sale 3419  
shall be deposited in the county treasury. A notice of the sale 3420  
shall be given ~~in one newspaper of general circulation in the~~ 3421  
~~county,~~ for five days in succession, and the sale shall be held 3422  
immediately thereafter. ~~The~~ 3423

The notice shall be made using at least one of the 3424  
following methods: 3425

(1) In the print or digital edition of a newspaper of 3426  
general circulation within the county; 3427

(2) On the official public notice web site established 3428  
under section 125.182 of the Revised Code; 3429

(3) On the web site and social media account of the 3430  
county. 3431

The cost of such advertisement and notices shall be paid 3432  
by the board upon the submission of a verified statement for 3433  
that cost, certified to the coroner. 3434

(C) If a firearm is included in the personal effects of a 3435  
deceased person who meets death in the manner described by 3436  
section 313.12 of the Revised Code, the coroner shall deliver 3437  
the firearm to the chief of police of the municipal corporation 3438  
within which the body is found, or to the sheriff of the county 3439  
if the body is not found within a municipal corporation. Upon 3440  
delivery of the firearm to the chief of police or the sheriff, 3441  
the chief of police or sheriff shall give the coroner a receipt 3442  
for the firearm that states the date of delivery and an accurate 3443  
description of the firearm. The firearm shall be used for 3444  
evidentiary purposes only. 3445

The person who has been assigned the rights of disposition 3446  
for the deceased person under sections 2108.70 to 2108.90 of the 3447  
Revised Code may request that the firearm be given to that 3448  
person once the firearm is no longer needed for evidentiary 3449  
purposes. The chief of police or the sheriff shall give the 3450  
firearm to that person who requested the firearm only if the 3451  
person may lawfully possess the firearm under applicable law of 3452  
this state or the United States. The chief of police or the 3453  
sheriff shall keep a record identifying the person to whom the 3454  
firearm is given, the date the firearm was given to that person, 3455  
and an accurate description of the firearm. The person to whom 3456  
the firearm is given upon the person's request under this 3457  
division shall deliver the firearm to the executor or 3458  
administrator of the estate of the deceased person or to any 3459  
other person who is legally entitled to the firearm. 3460

If the person who has been assigned the rights of 3461

disposition for the deceased person under sections 2108.70 to 3462  
2108.90 of the Revised Code does not request the firearm or is 3463  
not entitled to possess the firearm, the firearm shall be used 3464  
at the discretion of the chief of police or the sheriff. 3465

(D) This section does not invalidate section 1713.34 of 3466  
the Revised Code. 3467

**Sec. 313.161.** (A) Whenever an autopsy is performed, 3468  
including any individual component of an autopsy as defined in 3469  
section 313.123 of the Revised Code, and the injury causing 3470  
death occurred within the boundaries of a county other than the 3471  
one in which the autopsy was performed, such other county shall 3472  
pay the costs of the autopsy, including associated 3473  
transportation costs. The cost of such autopsy shall be no 3474  
greater than the actual value of the transportation of the body, 3475  
services of the technicians, and materials used. Money derived 3476  
from the fees paid for such autopsies shall be credited to the 3477  
coroner's laboratory fund created in section 313.16 of the 3478  
Revised Code. 3479

(B) (1) Whenever an autopsy is performed, including any 3480  
individual component of an autopsy as defined in section 313.123 3481  
of the Revised Code, and the person who died was an inmate of a 3482  
state correctional facility, the department of rehabilitation 3483  
and correction or the department of youth services, as 3484  
appropriate, shall pay the costs of the autopsy, including 3485  
associated transportation costs. The costs of the autopsy shall 3486  
be no greater than the actual value of the transportation of the 3487  
body, services of the technicians, and the facilities and 3488  
materials used. Money derived from the fees paid for such 3489  
autopsies shall be credited to the coroner's laboratory fund 3490  
created in section 313.16 of the Revised Code. 3491

(2) As used in this division, "state correctional 3492  
facility" means a "state correctional institution," as defined 3493  
in section 2967.01 of the Revised Code, a state correctional 3494  
institution that is privately operated and managed pursuant to 3495  
section 9.06 of the Revised Code, and an "institution," as 3496  
defined in section 5139.01 of the Revised Code. 3497

**Sec. 317.20.** (A) When, in the opinion of the board of 3498  
county commissioners, sectional indexes are needed and it so 3499  
directs, in addition to the indexes provided for in section 3500  
317.18 of the Revised Code, the board may provide for making, in 3501  
books prepared for that purpose, sectional indexes to the 3502  
records of all real estate in the county beginning with some 3503  
designated year and continuing through the period of years that 3504  
the board specifies. The sectional indexes shall place under the 3505  
heads of the original surveyed sections or surveys, parts of a 3506  
section or survey, squares, subdivisions, permanent parcel 3507  
numbers provided for under section 319.28 of the Revised Code, 3508  
or lots, on the left-hand page or on the upper portion of that 3509  
page of the index book, the name of the grantor, then the name 3510  
of the grantee, then the number and page of the record in which 3511  
the instrument is found recorded, then the character of the 3512  
instrument, and then a pertinent description of the interest in 3513  
property conveyed by the deed, lease, or assignment of lease, 3514  
and shall place under similar headings on the right-hand page or 3515  
on the lower portion of that page of the index book, beginning 3516  
at the bottom, all the mortgages, liens, notices provided for in 3517  
sections 5301.51, 5301.52, and 5301.56 of the Revised Code, or 3518  
other encumbrances affecting the real estate. 3519

(B) The compensation for the services rendered under this 3520  
section shall be paid from the general revenue fund of the 3521  
county, and no additional levy shall be made in consequence of 3522



the services.

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(C) If the board of county commissioners decides to have  
sectional indexes made, it shall advertise for three consecutive  
weeks ~~in one newspaper of general circulation in the county or~~  
~~as provided in section 7.16 of the Revised Code~~ for sealed  
proposals to do the work provided for in this section, using at  
least one of the following methods:

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(1) In the print or digital edition of a newspaper of  
general circulation within the county;

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(2) On the official public notice web site established  
under section 125.182 of the Revised Code;

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(3) On the web site and social media account of the  
county.

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The board shall contract with the lowest and best bidder,  
and shall require the successful bidder to give a bond for the  
faithful performance of the contract in the sum that the board  
fixes. The work shall be done to the acceptance of the auditor  
of state upon allowance by the board. The board may reject any  
and all bids for the work, provided that no more than five cents  
shall be paid for each entry of each tract or lot of land.

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(D) When the sectional indexes are brought up and  
completed, the county recorder shall maintain the indexes and  
comply with division (E) of this section in connection with  
registered land.

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(E) (1) As used in division (E) of this section, "housing  
accommodations" and "restrictive covenant" have the same  
meanings as in section 4112.01 of the Revised Code.

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(2) In connection with any transfer of registered land

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that occurs on and after March 30, 1999, in accordance with 3551  
Chapters 5309. and 5310. of the Revised Code, the county 3552  
recorder shall delete from the sectional indexes maintained 3553  
under this section all references to any restrictive covenant 3554  
that appears to apply to the transferred registered land, if any 3555  
inclusion of the restrictive covenant in a transfer, rental, or 3556  
lease of housing accommodations, any honoring or exercising of 3557  
the restrictive covenant, or any attempt to honor or exercise 3558  
the restrictive covenant constitutes an unlawful discriminatory 3559  
practice under division (H) (9) of section 4112.02 of the Revised 3560  
Code. 3561

**Sec. 319.11.** The county auditor shall prepare a financial 3562  
report of the county for the preceding fiscal year in such form 3563  
as prescribed by the auditor of state and by such date as 3564  
required under section 117.38 of the Revised Code. Upon 3565  
completing the report, the county auditor shall publish notice 3566  
that the report has been completed and is available for public 3567  
inspection at the office of the county auditor. The notice shall 3568  
be published once ~~in~~ using at least one of the following 3569  
methods: 3570

(A) In the print or digital edition of a newspaper of 3571  
general circulation in the county; 3572

(B) On the official public notice web site established 3573  
under section 125.182 of the Revised Code; 3574

(C) On the web site and social media account of the 3575  
county. ~~If there is no newspaper of general circulation in the~~ 3576  
~~county, then publication is required in the newspaper of general~~ 3577  
~~circulation in an adjoining county that has the largest~~ 3578  
~~circulation in that adjoining county. The~~ 3579

The report shall contain at least the information required 3580  
by section 117.38 of the Revised Code, and a copy shall be filed 3581  
with the auditor of state. 3582

No county auditor shall fail or neglect to prepare the 3583  
report or publish notice of completion of the report as required 3584  
by this section. 3585

**Sec. 321.18.** As soon as sufficient funds are in the county 3586  
treasury to redeem the warrants drawn on the treasury, and on 3587  
which interest is accruing, the county treasurer shall give 3588  
notice ~~in a newspaper of general circulation in the county~~ that 3589  
the treasurer is ready to redeem such warrants, and from the 3590  
date of the notice the interest on such warrants shall cease. 3591  
The notice shall be given using at least one of the following 3592  
methods: 3593

(A) In the print or digital edition of a newspaper of 3594  
general circulation in the county; 3595

(B) On the official public notice web site established 3596  
under section 125.182 of the Revised Code; 3597

(C) On the web site and social media account of the 3598  
county. 3599

**Sec. 322.02.** (A) For the purpose of paying the costs of 3600  
enforcing and administering the tax and providing additional 3601  
general revenue for the county, any county may levy and collect 3602  
a tax to be known as the real property transfer tax on each deed 3603  
conveying real property or any interest in real property located 3604  
wholly or partially within the boundaries of the county at a 3605  
rate not to exceed thirty cents per hundred dollars for each one 3606  
hundred dollars or fraction thereof of the value of the real 3607  
property or interest in real property located within the 3608

boundaries of the county granted, assigned, transferred, or 3609  
otherwise conveyed by the deed. The tax shall be levied pursuant 3610  
to a resolution adopted by the board of county commissioners of 3611  
the county and, except as provided in division (A) of section 3612  
322.07 of the Revised Code, shall be levied at a uniform rate 3613  
upon all deeds as defined in division (D) of section 322.01 of 3614  
the Revised Code. Prior to the adoption of any such resolution, 3615  
the board of county commissioners shall conduct two public 3616  
hearings thereon, the second hearing to be not less than three 3617  
nor more than ten days after the first. Notice of the date, 3618  
time, and place of the hearings shall be given by publication ~~in~~ 3619  
~~a newspaper of general circulation in the county~~ once a week on 3620  
the same day of the week for two consecutive weeks ~~or as~~ 3621  
~~provided in section 7.16 of the Revised Code~~ using at least one 3622  
of the following methods: 3623

(1) In the print or digital edition of a newspaper of 3624  
general circulation within the county; 3625

(2) On the official public notice web site established 3626  
under section 125.182 of the Revised Code; 3627

(3) On the web site and social media account of the 3628  
county. The 3629

The second publication shall be not less than ten nor more 3630  
than thirty days ~~prior to~~ before the first hearing. The tax 3631  
shall be levied upon the grantor named in the deed and shall be 3632  
paid by the grantor for the use of the county to the county 3633  
auditor at the time of the delivery of the deed as provided in 3634  
section 319.202 of the Revised Code and prior to the 3635  
presentation of the deed to the recorder of the county for 3636  
recording. 3637

(B) No resolution levying a real property transfer tax 3638  
pursuant to this section or a manufactured home transfer tax 3639  
pursuant to section 322.06 of the Revised Code shall be 3640  
effective sooner than thirty days following its adoption. Such a 3641  
resolution is subject to a referendum as provided in sections 3642  
305.31 to 305.41 of the Revised Code, unless the resolution is 3643  
adopted as an emergency measure necessary for the immediate 3644  
preservation of the public peace, health, or safety, in which 3645  
case it shall go into immediate effect. An emergency measure 3646  
must receive an affirmative vote of all of the members of the 3647  
board of commissioners, and shall state the reasons for the 3648  
necessity. A resolution may direct the board of elections to 3649  
submit the question of levying the tax to the electors of the 3650  
county at the next primary or general election in the county 3651  
occurring not less than ninety days after the resolution is 3652  
certified to the board. No such resolution shall go into effect 3653  
unless approved by a majority of those voting upon it. 3654

**Sec. 322.021.** The question of a repeal of a county 3655  
permissive tax adopted as an emergency measure pursuant to 3656  
division (B) of section 322.02 of the Revised Code may be 3657  
initiated by filing with the board of elections of the county 3658  
not less than ninety days before the general election in any 3659  
year a petition requesting that an election be held on such 3660  
question. Such petition shall be signed by qualified electors 3661  
residing in the county equal in number to ten per cent of those 3662  
voting for governor at the most recent gubernatorial election. 3663

After determination by it that such petition is valid, the 3664  
board of elections shall submit the question to the electors of 3665  
the county at the next general election. The election shall be 3666  
conducted, canvassed, and certified in the same manner as 3667  
regular elections for county offices in the county. Notice of 3668

the election shall be published ~~in a newspaper of general~~  
~~circulation in the district~~ once a week for two consecutive  
weeks ~~prior to before~~ the election ~~or as provided in section~~  
~~7.16 of the Revised Code~~ using at least one of the following  
methods:

(A) In the print or digital edition of a newspaper of  
general circulation within the county;

(B) On the official public notice web site established  
under section 125.182 of the Revised Code;

(C) On the web site and social media account of the  
county. ~~If~~

If the board of elections operates and maintains a web  
site, notice of the election also shall be posted on that web  
site for thirty days prior to the election. The notice shall  
state the purpose, time, and place of the election. The form of  
the ballot cast at such election shall be prescribed by the  
secretary of state. The question covered by such petition shall  
be submitted as a separate proposition, but it may be printed on  
the same ballot with any other proposition submitted at the same  
election other than the election of officers. If a majority of  
the qualified electors voting on the question of repeal approve  
the repeal, the result of the election shall be certified  
immediately after the canvass by the board of elections to the  
board of county commissioners, who shall thereupon, after the  
current year, cease to levy the tax.

**Sec. 323.08.** (A) After certifying the tax list and  
duplicate pursuant to section 319.28 of the Revised Code, the  
county auditor shall deliver a list of the tax rates, tax  
reduction factors, and effective tax rates assessed and applied

against each of the two classes of property of the county to the 3698  
county treasurer, who shall immediately cause a schedule of such 3699  
tax rates and effective rates to be published ~~in~~ using at least 3700  
one of the following methods: 3701

(1) In the print or digital edition of a newspaper of 3702  
general circulation in the county ~~or, in;~~ 3703

(2) On the official public notice web site established 3704  
under section 125.182 of the Revised Code; 3705

(3) On the web site and social media account of the 3706  
county. 3707

Alternatively, in lieu of such publication, the county 3708  
treasurer may insert a copy of such schedule with each tax bill 3709  
mailed. Such schedule shall specify particularly the rates and 3710  
effective rates of taxation levied for all purposes on the tax 3711  
list and duplicate for the support of the various taxing units 3712  
within the county, expressed in dollars and cents for each one 3713  
thousand dollars of valuation. The effective tax rates shall be 3714  
printed in boldface type. 3715

(B) The county treasurer shall publish notice of the date 3716  
of the last date for payment of each installment of taxes once a 3717  
week for two successive weeks ~~prior to before~~ such date ~~in using~~ 3718  
at least one of the following methods: 3719

(1) In the print or digital edition of a newspaper of 3720  
general circulation within the county ~~or as provided in section~~ 3721  
~~7.16 of the Revised Code;~~ 3722

(2) On the official public notice web site established 3723  
under section 125.182 of the Revised Code; 3724

(3) On the web site and social media account of the 3725

county. ~~The~~ 3726

~~The notice shall be inserted in a conspicuous place in the~~ 3727  
~~newspaper and shall also contain notice that any taxes paid~~ 3728  
after such date will accrue a penalty and interest and that 3729  
failure to receive a tax bill will not avoid such penalty and 3730  
interest. The notice shall contain a telephone number that may 3731  
be called by taxpayers who have not received tax bills. 3732

(C) As used in this section and section 323.131 of the 3733  
Revised Code, "effective tax rate" means the effective rate 3734  
after making the reduction required by section 319.301, but 3735  
before making the reduction required by section 319.302 of the 3736  
Revised Code. 3737

**Sec. 323.122.** (A) As used in this section: 3738

(1) "Active duty" has the same meaning as in division (F) 3739  
of section 5919.34 of the Revised Code. 3740

(2) "Dependent parent" means a parent who, at the time the 3741  
member was activated, received from the member at least half of 3742  
the dependent parent's support, including food, shelter, 3743  
clothing, and medical and dental care. 3744

(B) This section applies to any real property or 3745  
manufactured or mobile home that is: 3746

(1) Owned by a member of the national guard or a member of 3747  
a reserve component of the armed forces of the United States who 3748  
is called to active duty; 3749

(2) Owned by the spouse of such a member; 3750

(3) Owned jointly by such a member and that member's 3751  
spouse or dependent parent; or 3752



(4) Owned by the dependent parent of such a member who 3753  
dies during such duty or as the result of wounds or illness 3754  
incurred during such duty. 3755

(C) The member, the member's spouse, or the member's 3756  
parent, as applicable, may apply to the county treasurer for an 3757  
extension for the payment of taxes and assessments charged 3758  
against the real property or manufactured or mobile home and 3759  
payable during the period of the member's duty service and the 3760  
six months ensuing termination thereof. Additionally, 3761  
application may be made on behalf of a member under a power of 3762  
attorney granted by the member. Application shall be made not 3763  
later than the last day of the sixth month after the month in 3764  
which the member's duty terminates. The applicant shall provide 3765  
evidence satisfactory to the county treasurer to demonstrate 3766  
eligibility for the extension as described in division (B) of 3767  
this section. 3768

If the county treasurer determines that the applicant 3769  
qualifies for an extension under this section, the county 3770  
treasurer shall enter into a contract with the applicant for 3771  
payment of the taxes and assessments in installments in the same 3772  
manner as, and subject to the same terms and conditions of, 3773  
contracts for the payment of delinquent taxes pursuant to 3774  
section 323.31 of the Revised Code, except that the contract 3775  
shall specify that payments shall begin in the seventh month 3776  
after the member's duty terminates. Notwithstanding sections 3777  
319.49, 323.01, 323.121, 323.132, 4503.06, 5721.01, and 5721.011 3778  
of the Revised Code, taxes and assessments, payment of which has 3779  
been extended under this section, do not constitute delinquent 3780  
taxes and shall not be placed on the delinquent land list or 3781  
delinquent manufactured home tax list unless the contract 3782  
becomes void, and a new contract is not entered into, pursuant 3783

to section 323.31 of the Revised Code.

(D) If a member, a member's spouse, or a member's parent qualifies for the extension provided in this section, and that member, spouse, or parent has designated an agent for the payment of taxes and assessments the payment of which is so extended, that agent shall not require the member, spouse, or parent to pay to the agent any such taxes and assessments for the period for which payment is extended under division (C) of this section. If such taxes or assessments are paid by the member, spouse, or parent to an agent as part of a mortgage loan installment payment, the agent shall deduct the portion of the payment that represents such taxes and assessments from the amount of each such payment payable during the period of extension prescribed by division (C) of this section.

(E) If the member, the member's spouse, or the member's parent has entered into a contract pursuant to this section before the first day of the seventh month after the month in which the member's duty terminates, the county auditor and treasurer shall remove from the tax list and duplicate, respectively, any penalties and interest that were charged under section 323.121 or 4503.06 of the Revised Code during the member's duty and before the first day of the seventh month after the month in which the member's duty terminates.

(F) Notwithstanding section 323.131 of the Revised Code, a county treasurer shall include a notice of, and information about, the extension provided in this section on or with tax bills mailed or delivered under section 323.13 or 4503.06 of the Revised Code or by providing such notice and information ~~to a newspaper of general circulation in the county using at least one of the following methods~~ when tax bills are mailed or

delivered under those sections: 3814

(1) In the print or digital edition of a newspaper of 3815  
general circulation within the county; 3816

(2) On the official public notice web site established 3817  
under section 125.182 of the Revised Code; 3818

(3) On the web site and social media account of the 3819  
county. 3820

**Sec. 323.62.** The county treasurer may fix the time and 3821  
place at which taxes will be received, as provided in section 3822  
323.61 of the Revised Code. Notice of such time and place shall 3823  
be given by publication~~in~~ using at least one of the following 3824  
methods: 3825

(A) In the print or digital edition of a newspaper of 3826  
general circulation in the municipal corporation within which 3827  
the tax receiving office is located or, if no such newspaper 3828  
exists, in a newspaper of general circulation within the county; 3829

(B) On the official public notice web site established 3830  
under section 125.182 of the Revised Code; 3831

(C) On the web site and social media account of the 3832  
county. 3833

**Sec. 323.73.** (A) Except as provided in division (G) of 3834  
this section or section 323.78 of the Revised Code, a parcel of 3835  
abandoned land that is to be disposed of under this section 3836  
shall be disposed of at a public auction scheduled and conducted 3837  
as described in this section. At least twenty-one days prior to 3838  
the date of the public auction, the clerk of court or sheriff of 3839  
the county shall advertise the public auction ~~in~~ using at least 3840  
one of the following methods: 3841

(1) In the print or digital edition of a newspaper of 3842  
general circulation that meets the requirements of section 7.12 3843  
of the Revised Code in the county in which the land is located; 3844

(2) On the official public notice web site established 3845  
under section 125.182 of the Revised Code; 3846

(3) On the web site and social media account of the 3847  
county. The 3848

The advertisement shall include the date, time, and place 3849  
of the auction, the permanent parcel number of the land if a 3850  
permanent parcel number system is in effect in the county as 3851  
provided in section 319.28 of the Revised Code or, if a 3852  
permanent parcel number system is not in effect, any other means 3853  
of identifying the parcel, and a notice stating that the 3854  
abandoned land is to be sold subject to the terms of sections 3855  
323.65 to 323.79 of the Revised Code. 3856

(B) The sheriff of the county or a designee of the sheriff 3857  
shall conduct the public auction at which the abandoned land 3858  
will be offered for sale. To qualify as a bidder, a person shall 3859  
file with the sheriff on a form provided by the sheriff a 3860  
written acknowledgment that the abandoned land being offered for 3861  
sale is to be conveyed in fee simple to the successful bidder. 3862  
At the auction, the sheriff of the county or a designee of the 3863  
sheriff shall begin the bidding at an amount equal to the total 3864  
of the impositions against the abandoned land, plus the costs 3865  
apportioned to the land under section 323.75 of the Revised 3866  
Code. The abandoned land shall be sold to the highest bidder. 3867  
The county sheriff or designee may reject any and all bids not 3868  
meeting the minimum bid requirements specified in this division. 3869

(C) Except as otherwise permitted under section 323.74 of 3870

the Revised Code, the successful bidder at a public auction 3871  
conducted under this section shall pay the sheriff of the county 3872  
or a designee of the sheriff a deposit of at least ten per cent 3873  
of the purchase price in cash, or by bank draft or official bank 3874  
check, at the time of the public auction, and shall pay the 3875  
balance of the purchase price within thirty days after the day 3876  
on which the auction was held. At the time of the public auction 3877  
and before the successful bidder pays the deposit, the sheriff 3878  
or a designee of the sheriff may provide notice to the 3879  
successful bidder that failure to pay the balance of the 3880  
purchase price within the prescribed period shall be considered 3881  
a default under the terms of the sale and shall result in 3882  
retention of the deposit as payment for the costs associated 3883  
with advertising and offering the abandoned land for sale at a 3884  
future public auction. If such a notice is provided to the 3885  
successful bidder and the bidder fails to pay the balance of the 3886  
purchase price within the prescribed period, the sale shall be 3887  
deemed rejected by the county board of revision due to default, 3888  
and the sheriff shall retain the full amount of the deposit. In 3889  
such a case, rejection of the sale shall occur automatically 3890  
without any action necessary on the part of the sheriff, county 3891  
prosecuting attorney, or board. If the amount retained by the 3892  
sheriff is less than the total costs of advertising and offering 3893  
the abandoned land for sale at a future public auction, the 3894  
sheriff or county prosecuting attorney may initiate an action to 3895  
recover the amount of any deficiency from the bidder in the 3896  
court of common pleas of the county or in a municipal court with 3897  
jurisdiction. 3898

Following a default and rejection of sale under this 3899  
division, the abandoned land involved in the rejected sale shall 3900  
be disposed of in accordance with sections 323.65 to 323.79 of 3901

the Revised Code or as otherwise prescribed by law. The 3902  
defaulting bidder, any member of the bidder's immediate family, 3903  
any person with a power of attorney granted by the bidder, and 3904  
any pass-through entity, trust, corporation, association, or 3905  
other entity directly or indirectly owned or controlled by the 3906  
bidder or a member of the defaulting bidder's immediate family 3907  
shall be prohibited from bidding on the abandoned land at any 3908  
future public auction for five years from the date of the 3909  
bidder's default. 3910

Notwithstanding section 321.261 of the Revised Code, with 3911  
respect to any proceedings initiated pursuant to sections 323.65 3912  
to 323.79 of the Revised Code, from the total proceeds arising 3913  
from the sale, transfer, or redemption of abandoned land, twenty 3914  
per cent of such proceeds shall be deposited to the credit of 3915  
the county treasurer's delinquent tax and assessment collection 3916  
fund to reimburse the fund for costs paid from the fund for the 3917  
transfer, redemption, or sale of abandoned land at public 3918  
auction. Not more than one-half of the twenty per cent may be 3919  
used by the treasurer for community development, nuisance 3920  
abatement, foreclosure prevention, demolition, and related 3921  
services or distributed by the treasurer to a land reutilization 3922  
corporation. The balance of the proceeds, if any, shall be 3923  
distributed to the appropriate political subdivisions and other 3924  
taxing units in proportion to their respective claims for taxes, 3925  
assessments, interest, and penalties on the land. Upon the sale 3926  
of foreclosed lands, the clerk of court shall hold any surplus 3927  
proceeds in excess of the impositions until the clerk receives 3928  
an order of priority and amount of distribution of the surplus 3929  
that are adjudicated by a court of competent jurisdiction or 3930  
receives a certified copy of an agreement between the parties 3931  
entitled to a share of the surplus providing for the priority 3932

and distribution of the surplus. Any party to the action 3933  
claiming a right to distribution of surplus shall have a 3934  
separate cause of action in the county or municipal court of the 3935  
jurisdiction in which the land reposes, provided the board 3936  
confirms the transfer or regularity of the sale. Any dispute 3937  
over the distribution of the surplus shall not affect or revive 3938  
the equity of redemption after the board confirms the transfer 3939  
or sale. 3940

(D) Upon the confirmation of sale or transfer of abandoned 3941  
land pursuant to this section, the owner's fee simple interest 3942  
in the land shall be conveyed to the purchaser. A conveyance 3943  
under this division is free and clear of any liens and 3944  
encumbrances of the parties named in the complaint for 3945  
foreclosure attaching before the sale or transfer, and free and 3946  
clear of any liens for taxes, except for federal tax liens and 3947  
covenants and easements of record attaching before the sale. 3948

(E) The county board of revision shall reject the sale of 3949  
abandoned land to any person if it is shown by a preponderance 3950  
of the evidence that the person is delinquent in the payment of 3951  
taxes levied by or pursuant to Chapter 307., 322., 5737., 5739., 3952  
5741., or 5743. of the Revised Code or any real property taxing 3953  
provision of the Revised Code. The board also shall reject the 3954  
sale of abandoned land to any person if it is shown by a 3955  
preponderance of the evidence that the person is delinquent in 3956  
the payment of property taxes on any parcel in the county, or to 3957  
a member of any of the following classes of parties connected to 3958  
that person: 3959

(1) A member of that person's immediate family; 3960

(2) Any other person with a power of attorney appointed by 3961  
that person; 3962

(3) A sole proprietorship owned by that person or a member 3963  
of that person's immediate family; 3964

(4) A partnership, trust, business trust, corporation, 3965  
association, or other entity in which that person or a member of 3966  
that person's immediate family owns or controls directly or 3967  
indirectly any beneficial or legal interest. 3968

(F) If the purchase of abandoned land sold pursuant to 3969  
this section or section 323.74 of the Revised Code is for less 3970  
than the sum of the impositions against the abandoned land and 3971  
the costs apportioned to the land under division (A) of section 3972  
323.75 of the Revised Code, then, upon the sale or transfer, all 3973  
liens for taxes due at the time the deed of the property is 3974  
conveyed to the purchaser following the sale or transfer, and 3975  
liens subordinate to liens for taxes, shall be deemed satisfied 3976  
and discharged. 3977

(G) If the county board of revision finds that the total 3978  
of the impositions against the abandoned land are greater than 3979  
the fair market value of the abandoned land as determined by the 3980  
auditor's then-current valuation of that land, the board, at any 3981  
final hearing under section 323.70 of the Revised Code, may 3982  
order the property foreclosed and, without an appraisal or 3983  
public auction, order the sheriff to execute a deed to the 3984  
certificate holder or county land reutilization corporation that 3985  
filed a complaint under section 323.69 of the Revised Code, or 3986  
to a community development organization, school district, 3987  
municipal corporation, county, or township, whichever is 3988  
applicable, as provided in section 323.74 of the Revised Code. 3989  
Upon a transfer under this division, all liens for taxes due at 3990  
the time the deed of the property is transferred to the 3991  
certificate holder, community development organization, school 3992



district, municipal corporation, county, or township following 3993  
the conveyance, and liens subordinate to liens for taxes, shall 3994  
be deemed satisfied and discharged. 3995

**Sec. 325.15.** (A) Each coroner shall be classified, for 3996  
salary purposes, according to the population of the county. All 3997  
coroners shall receive annual compensation in accordance with 3998  
the following schedules and in accordance with section 325.18 of 3999  
the Revised Code: 4000

CLASSIFICATION AND COMPENSATION SCHEDULE 4001

FOR CALENDAR YEAR 2018 FOR 4002

CORONERS WITH A PRIVATE PRACTICE 4003

4004

	1	2	3
A	Class	Population Range	Compensation
B	1	1 - 55,000	\$30,993
C	2	55,001 - 95,000	45,384
D	3	95,001 - 200,000	56,458
E	4	200,001 - 400,000	69,739
F	5	400,001 - 1,000,000	78,594
G	6	1,000,001 or more	83,310

CLASSIFICATION AND COMPENSATION SCHEDULE 4005

FOR CALENDAR YEAR 2018 FOR 4006

CORONERS WITHOUT A PRIVATE PRACTICE 4007

4008

	1	2	3
A	Class	Population Range	Compensation
B	3	175,001 - 200,000	\$127,563
C	4	200,001 - 400,000	127,563
D	5	400,001 - 1,000,000	130,661
E	6	1,000,001 or more	133,759

CLASSIFICATION AND COMPENSATION SCHEDULE 4009

FOR CALENDAR YEAR 2019 FOR CORONERS 4010

WITH A PRIVATE PRACTICE 4011

4012

	1	2	3
A	Class	Population Range	Compensation
B	1	1 - 55,000	\$32,543
C	2	55,001 - 95,000	47,653
D	3	95,001 - 200,000	59,281
E	4	200,001 - 400,000	73,226

F	5	400,001 - 1,000,000	82,524
G	6	1,000,001 or more	87,476

CLASSIFICATION AND COMPENSATION SCHEDULE 4013

FOR CALENDAR YEAR 2019 FOR CORONERS 4014

WITHOUT A PRIVATE PRACTICE 4015

4016

	1	2	3
A	Class	Population Range	Compensation
B	3	175,001 - 200,000	\$133,941
C	4	200,001 - 400,000	133,941
D	5	400,001 - 1,000,000	137,194
E	6	1,000,001 or more	140,447

CLASSIFICATION AND COMPENSATION SCHEDULE 4017

FOR CALENDAR YEAR 2020 FOR CORONERS 4018

WITH A PRIVATE PRACTICE 4019

4020

	1	2	3
A	Class	Population Range	Compensation

B	1	1 - 55,000	\$34,170
C	2	55,001 - 95,000	50,036
D	3	95,001 - 200,000	62,245
E	4	200,001 - 400,000	76,887
F	5	400,001 - 1,000,000	86,650
G	6	1,000,001 or more	91,849

CLASSIFICATION AND COMPENSATION SCHEDULE 4021

FOR CALENDAR YEAR 2020 FOR CORONERS 4022

WITHOUT A PRIVATE PRACTICE 4023

4024

	1	2	3
A	Class	Population Range	Compensation
B	3	175,001 - 200,000	\$140,638
C	4	200,001 - 400,000	140,638
D	5	400,001 - 1,000,000	144,054
E	6	1,000,001 or more	147,469

(B) (1) A coroner in a county with a population of one 4025  
hundred seventy-five thousand one or more shall not engage in 4026  
the private practice of medicine unless, before taking office, 4027  
the coroner notifies the board of county commissioners of the 4028

intention to engage in that private practice. A coroner in such 4029  
a county shall elect to engage or not to engage in the private 4030  
practice of medicine before the commencement of each new term of 4031  
office. A coroner in such a county who engages in the private 4032  
practice of medicine, but who intends not to engage in the 4033  
private practice of medicine during the coroner's next term of 4034  
office, shall so notify the board of county commissioners as 4035  
specified in this division. For a period of six months after 4036  
taking office, a coroner who elects not to engage in the private 4037  
practice of medicine may engage in the private practice of 4038  
medicine, without any reduction of compensation as provided in 4039  
division (A) of this section and in section 325.18 of the 4040  
Revised Code, for the purpose of concluding the affairs of the 4041  
coroner's private practice of medicine. 4042

(2) A coroner in a county with a population of one hundred 4043  
seventy-five thousand one or more who elects not to engage in 4044  
the private practice of medicine under division (B)(1) of this 4045  
section may, during the coroner's term of office, elect to 4046  
engage in the private practice of medicine by notifying the 4047  
board in writing of the intention to so engage. The notice shall 4048  
state the date on which the coroner will commence the private 4049  
practice of medicine and shall be given to the board at least 4050  
thirty days before that date. On the date stated in the notice, 4051  
the coroner's compensation shall be reduced as provided in 4052  
division (A) of this section and in section 325.18 of the 4053  
Revised Code for coroners with a private practice. 4054

(C) Each coroner who is the coroner in a county with a 4055  
population of one hundred seventy-five thousand one or more and 4056  
who is without a private practice of medicine shall receive 4057  
supplemental compensation of an additional fifty per cent of the 4058  
annual compensation calculated under division (A) of this 4059

section and section 325.18 of the Revised Code in each calendar 4060  
year in which the office of the coroner satisfies all of the 4061  
following: 4062

(1) The office operates as a regional forensic pathology 4063  
examination referral center, and the operation generates 4064  
coroner's laboratory fund income, for purposes of section 313.16 4065  
of the Revised Code, that is in excess of the fund's expenses 4066  
and is sufficient to provide the supplemental compensation 4067  
specified in division (C) of this section; 4068

(2) The coroner is a forensic pathologist certified by the 4069  
American board of pathology; and 4070

(3) The coroner performs a minimum of seventy-five post 4071  
mortem examinations annually. 4072

(D) Each coroner who is the coroner in a county with a 4073  
population of one hundred seventy-five thousand one or more and 4074  
who is without a private practice of medicine and does not 4075  
operate a regional forensic pathology examination referral 4076  
center may, on approval of the board of county commissioners, 4077  
receive supplemental compensation of up to an additional twenty- 4078  
five per cent of the annual compensation calculated under 4079  
division (A) of this section and section 325.18 of the Revised 4080  
Code in each calendar year in which the coroner is a forensic 4081  
pathologist certified by the American board of pathology and is 4082  
performing the forensic examinations of the county. 4083

(E) As used in this section, "private practice of 4084  
medicine" includes both of the following: 4085

(1) The provision of services for the diagnosis, 4086  
prevention, treatment, cure, or relief of a health condition, 4087  
illness, injury, or disease for remuneration; 4088

(2) The performance of an autopsy at the request of 4089  
another person, including another coroner, a hospital, a 4090  
business entity, an institution of higher education, or any 4091  
other person. 4092

"Private practice" refers to the private practice of 4093  
medicine, as described in this division. 4094

**Sec. 331.06.** (A) Each year the county facilities review 4095  
board shall prepare a full report of its proceedings during the 4096  
year, with such recommendations as it considers advisable, file 4097  
such report with the probate judge and the prosecuting attorney 4098  
between the fifteenth day of November and the fifteenth day of 4099  
December, forward a copy thereof to the central office of the 4100  
department of job and family services, and send a copy of that 4101  
part of the report concerning correctional institutions to the 4102  
department of rehabilitation and correction. 4103

(B) The probate judge may, in that judge's discretion, 4104  
order the publication of a summary of the annual report ~~in~~ using 4105  
at least one of the following methods: 4106

(1) In the print or digital edition of a newspaper of 4107  
general circulation within the county; 4108

(2) On the official public notice web site established 4109  
under section 125.182 of the Revised Code; 4110

(3) On the web site and social media account of the 4111  
county. The 4112

The cost, if any, of such publication shall be paid by the 4113  
county. 4114

**Sec. 339.08.** The board of county hospital trustees may 4115  
receive any gift, bequest, or devise of real or personal 4116

property in trust for the erection, improvement, or support of 4117  
the county hospital, and administer the said property and the 4118  
proceeds thereof in the manner required by law or the instrument 4119  
creating such trust. Before receiving such trust property, the 4120  
board shall give additional bond in such amount as the board of 4121  
county commissioners or a court requires. 4122

Any corporation or association holding property in trust 4123  
for the erection, improvement, or support of a county hospital 4124  
may make application to the court of common pleas of such county 4125  
for permission to resign from and relinquish the obligations of 4126  
such trust. The court shall set a time for a hearing, and give 4127  
notice of the hearing to the donors, if living, and to the next 4128  
of kin of deceased donors, residing within the state, and notice 4129  
shall also be given by publication ~~in a newspaper published in~~ 4130  
~~and of general circulation within the county~~ for three 4131  
consecutive weeks using at least one of the following methods: 4132

(A) In the print or digital edition of a newspaper 4133  
published in and of general circulation within the county; 4134

(B) On the official public notice web site established 4135  
under section 125.182 of the Revised Code; 4136

(C) On the web site and social media account of the 4137  
county. ~~Upon~~ 4138

Upon hearing, with consent of the board of county hospital 4139  
trustees and upon its giving such additional bond as is ordered, 4140  
the court may authorize said trust property to be delivered over 4141  
to said board of county hospital trustees as successor trustees. 4142  
Upon delivering said trust property and making a full accounting 4143  
of the administration of it to the satisfaction of the court, 4144  
the former board may be discharged and any bonds or obligations 4145



for performance of its duties as such board shall be canceled.

All money held in trust by the board shall be kept in a separate fund to be known as "the hospital trust fund." The board of county hospital trustees shall make a complete report of its administration of all property and funds held in trust to the board of county commissioners with its annual report of operation of the hospital.

**Sec. 345.03.** A copy of any resolution adopted under section 345.01 of the Revised Code shall be certified within five days by the taxing authority and not later than four p.m. of the ninetieth day before the day of the election, to the county board of elections, and such board shall submit the proposal to the electors of the subdivision at the succeeding general election. The board shall make the necessary arrangements for the submission of such question to the electors of the subdivision, and the election shall be conducted, canvassed, and certified in like manner as regular elections in such subdivision.

Notice of the election shall be published once ~~in a newspaper of general circulation in the subdivision,~~ not less than two weeks prior to such election using at least one of the following methods:

(A) In the print or digital edition of a newspaper of general circulation within the county;

(B) On the official public notice web site established under section 125.182 of the Revised Code;

(C) On the web site and social media account of the county. ~~The~~

The notice shall set out the purpose of the proposed

increase in rate, the levy's estimated annual collections, the 4175  
amount of the increase expressed in dollars for each one hundred 4176  
thousand dollars of the county auditor's appraised value as well 4177  
as in mills for each one dollar of taxable value, the number of 4178  
years during which such increase will be in effect, and the time 4179  
and place of holding such election. 4180

**Sec. 1901.023.** In addition to the territorial jurisdiction 4181  
conferred by section 1901.02 of the Revised Code, the municipal 4182  
courts of Ashtabula, Avon Lake, Cleveland, Conneaut, Erie 4183  
county, Euclid, Huron, Lakewood, Lorain, Mentor, Oregon, Ottawa 4184  
county, Painesville, Rocky River, Sandusky, Toledo, Vermilion, 4185  
and Willoughby have jurisdiction within their respective 4186  
counties northerly beyond the south shore of Lake Erie to the 4187  
international boundary line between the United States and 4188  
Canada, between the easterly and westerly boundary lines of the 4189  
adjacent municipal or county courts. The municipal courts that 4190  
are given jurisdiction in Lake Erie by this section have 4191  
concurrent jurisdiction in Lake Erie with any adjacent county or 4192  
municipal courts that borders on Lake Erie. 4193

**Sec. 2151.271.** Except in a case in which the child is 4194  
alleged to be a serious youthful offender under section 2152.13 4195  
of the Revised Code, if the child resides in a county of the 4196  
state and the proceeding is commenced in a juvenile court of 4197  
another county, that court, on its own motion or a motion of a 4198  
party, may transfer the proceeding to the county of the child's 4199  
residence upon the filing of the complaint or after the 4200  
adjudicatory, or dispositional hearing, for such further 4201  
proceeding as required. The court of the child's residence shall 4202  
then proceed as if the original complaint had been filed in that 4203  
court. Transfer may also be made if the residence of the child 4204  
changes. The proceeding shall be so transferred if other 4205

proceedings involving the child are pending in the juvenile 4206  
court of the county of the child's residence. 4207

Whenever a case is transferred to the county of the 4208  
child's residence and it appears to the court of that county 4209  
that the interests of justice and the convenience of the parties 4210  
requires that the adjudicatory hearing be had in the county in 4211  
which the complaint was filed, the court may return the 4212  
proceeding to the county in which the complaint was filed for 4213  
the purpose of the adjudicatory hearing. The court may 4214  
thereafter proceed as to the transfer to the county of the 4215  
child's legal residence as provided in this section. 4216

Certified copies of all legal and social records 4217  
pertaining to the case shall accompany the transfer. 4218

Any court cost, fine, restitution, or other monetary 4219  
penalty imposed at the time of a transfer made under this 4220  
section is not a final, appealable order. 4221

**Sec. 2335.061.** (A) As used in this section: 4222

(1) "Coroner" has the same meaning as in section 313.01 of 4223  
the Revised Code, and includes the following: 4224

(a) The coroner of a county other than a county in which 4225  
the death occurred or the dead human body was found if the 4226  
coroner of that other county performed services for the county 4227  
in which the death occurred or the dead human body was found; 4228

(b) A medical examiner appointed by the governing 4229  
authority of a county to perform the duties of a coroner set 4230  
forth in Chapter 313. of the Revised Code. 4231

(2) ~~"Deposition fee" means the amount derived by 4232~~  
~~multiplying the hourly rate by the number of hours a coroner or 4233~~

~~deputy coroner spent preparing for and giving expert testimony~~ 4234  
~~at a deposition in a civil action pursuant to this section.~~ 4235

~~(3)~~ "Deputy coroner" means a pathologist serving as a 4236  
deputy coroner. 4237

~~(4)~~ (3) "Expert testimony" means testimony given by a 4238  
coroner or deputy coroner as an expert witness pursuant to this 4239  
section and the Rules of Evidence. 4240

~~(5)~~ (4) "Fact testimony" means testimony given by a 4241  
coroner or deputy coroner regarding the performance of the 4242  
duties of the coroner as set forth in Chapter 313. of the 4243  
Revised Code. "Fact testimony" does not include expert 4244  
testimony. 4245

~~(6) "Hourly rate" means the compensation established in~~ 4246  
~~sections 325.15 and 325.18 of the Revised Code for a coroner~~ 4247  
~~without a private practice of medicine at the class 8 level for~~ 4248  
~~calendar year 2001 and thereafter, divided by two thousand~~ 4249  
~~eighty.~~ 4250

~~(7) "Testimonial fee" means the amount derived by~~ 4251  
~~multiplying the hourly rate by six and multiplying the product~~ 4252  
~~by the number of hours that a coroner or deputy coroner spent~~ 4253  
~~preparing for and giving expert testimony at a trial or hearing~~ 4254  
~~in a civil action pursuant to this section.~~ 4255

(B) (1) A party may subpoena a coroner or deputy coroner to 4256  
give expert testimony at a trial, hearing, or deposition in a 4257  
civil action only upon filing with the court a notice that 4258  
includes all of the following: 4259

(a) The name of the coroner or deputy coroner whose 4260  
testimony is sought; 4261

(b) A brief statement of the issues upon which the party 4262  
seeks expert testimony from the coroner or deputy coroner; 4263

(c) An acknowledgment by the party that the giving of 4264  
expert testimony by the coroner or deputy coroner at the trial, 4265  
hearing, or deposition is governed by this section and that the 4266  
party will comply with all of the requirements of this section; 4267

(d) A statement of the obligations of the coroner or 4268  
deputy coroner under division (C) of this section. 4269

(2) The notice under division (B) (1) of this section shall 4270  
be served together with the subpoena. 4271

(C) A party that obtains the expert testimony of a coroner 4272  
or deputy coroner at a trial, hearing, or deposition in a civil 4273  
action pursuant to division (B) or (D) of this section shall pay 4274  
to the treasury of the county in which the coroner or deputy 4275  
coroner holds office or is appointed or employed a ~~testimonial-~~ 4276  
~~fee or deposition fee, whichever is applicable, of three hundred~~ 4277  
fifty dollars per hour spent preparing for and giving expert 4278  
testimony at a trial, hearing, or deposition in a civil action, 4279  
within thirty days after receiving the statement described in 4280  
this division. Upon the conclusion of the coroner's or deputy 4281  
coroner's expert testimony, the coroner or deputy coroner shall 4282  
file a statement with the court on behalf of the county in which 4283  
the coroner or deputy coroner holds office or is appointed or 4284  
employed showing the fee due and how the coroner or deputy 4285  
coroner calculated the fee. The coroner or deputy coroner shall 4286  
serve a copy of the statement on each of the parties. 4287

(D) For good cause shown, the court may permit a coroner 4288  
or deputy coroner who has not been served with a subpoena under 4289  
division (B) of this section to give expert testimony at a 4290

trial, hearing, or deposition in a civil action. Unless good 4291  
cause is shown, the failure of a party to file with the court 4292  
the notice described in division (B)(1) of this section 4293  
prohibits the party from having a coroner or deputy coroner 4294  
subpoenaed to give expert testimony at a trial, hearing, or 4295  
deposition in a civil action or from otherwise calling the 4296  
coroner or a deputy coroner to give expert testimony at a trial, 4297  
hearing, or deposition in a civil action. 4298

(E) In the event of a dispute as to the contents of the 4299  
notice filed by a party under division (B) of this section or as 4300  
to the nature of the testimony sought from or given by a coroner 4301  
or a deputy coroner at a trial, hearing, or deposition in a 4302  
civil action, the court shall determine whether the testimony 4303  
sought from or given by the coroner or deputy coroner is expert 4304  
testimony or fact testimony. In making this determination, the 4305  
court shall consider all of the following: 4306

(1) The definitions of "expert testimony" and "fact 4307  
testimony" set forth in this section; 4308

(2) All applicable rules of evidence; 4309

(3) Any other information that the court considers 4310  
relevant. 4311

(F) Nothing in this section shall be construed to alter, 4312  
amend, or supersede the requirements of the Rules of Civil 4313  
Procedure or the Rules of Evidence. 4314

**Sec. 4723.431.** (A) (1) An advanced practice registered 4315  
nurse who is designated as a clinical nurse specialist, 4316  
certified nurse-midwife, or certified nurse practitioner may 4317  
practice only in accordance with a standard care arrangement 4318  
entered into with each physician or podiatrist with whom the 4319

nurse collaborates. A copy of the standard care arrangement 4320  
shall be retained on file by the nurse's employer. Prior 4321  
approval of the standard care arrangement by the board of 4322  
nursing is not required, but the board may periodically review 4323  
it for compliance with this section. 4324

A clinical nurse specialist, certified nurse-midwife, or 4325  
certified nurse practitioner may enter into a standard care 4326  
arrangement with one or more collaborating physicians or 4327  
podiatrists. If a collaborating physician or podiatrist enters 4328  
into standard care arrangements with more than five nurses, the 4329  
physician or podiatrist shall not collaborate at the same time 4330  
with more than five nurses in the prescribing component of their 4331  
practices. 4332

Not later than thirty days after first engaging in the 4333  
practice of nursing as a clinical nurse specialist, certified 4334  
nurse-midwife, or certified nurse practitioner, the nurse shall 4335  
submit to the board the name and business address of each 4336  
collaborating physician or podiatrist. Thereafter, the nurse 4337  
shall notify the board of any additions or deletions to the 4338  
nurse's collaborating physicians or podiatrists. Except as 4339  
provided in division (D) of this section, the notice must be 4340  
provided not later than thirty days after the change takes 4341  
effect. 4342

(2) All of the following conditions apply with respect to 4343  
the practice of a collaborating physician or podiatrist with 4344  
whom a clinical nurse specialist, certified nurse-midwife, or 4345  
certified nurse practitioner may enter into a standard care 4346  
arrangement: 4347

(a) The physician or podiatrist must be authorized to 4348  
practice in this state. 4349

(b) Except as provided in division (A) (2) (c) of this 4350  
section, the physician or podiatrist must be practicing in a 4351  
specialty that is the same as or similar to the nurse's nursing 4352  
specialty. 4353

(c) If the nurse is a clinical nurse specialist who is 4354  
certified as a psychiatric-mental health CNS by the American 4355  
nurses credentialing center or a certified nurse practitioner 4356  
who is certified as a psychiatric-mental health NP by the 4357  
American nurses credentialing center, the nurse may enter into a 4358  
standard care arrangement with a physician but not a podiatrist 4359  
and the collaborating physician must be practicing in one of the 4360  
following specialties: 4361

(i) Psychiatry; 4362

(ii) Pediatrics; 4363

(iii) Primary care or family practice. 4364

(B) A standard care arrangement shall be in writing and 4365  
shall contain all of the following: 4366

(1) Criteria for referral of a patient by the clinical 4367  
nurse specialist, certified nurse-midwife, or certified nurse 4368  
practitioner to a collaborating physician or podiatrist or 4369  
another physician or podiatrist; 4370

(2) A process for the clinical nurse specialist, certified 4371  
nurse-midwife, or certified nurse practitioner to obtain a 4372  
consultation with a collaborating physician or podiatrist or 4373  
another physician or podiatrist; 4374

(3) A plan for coverage in instances of emergency or 4375  
planned absences of either the clinical nurse specialist, 4376  
certified nurse-midwife, or certified nurse practitioner or a 4377



collaborating physician or podiatrist that provides the means 4378  
whereby a physician or podiatrist is available for emergency 4379  
care; 4380

(4) The process for resolution of disagreements regarding 4381  
matters of patient management between the clinical nurse 4382  
specialist, certified nurse-midwife, or certified nurse 4383  
practitioner and a collaborating physician or podiatrist; 4384

(5) An agreement that the collaborating physician shall 4385  
complete and sign the medical certificate of death pursuant to 4386  
section 3705.16 of the Revised Code; 4387

(6) Any other criteria required by rule of the board 4388  
adopted pursuant to section 4723.07 or 4723.50 of the Revised 4389  
Code. 4390

(C) A standard care arrangement entered into pursuant to 4391  
this section may permit a clinical nurse specialist, certified 4392  
nurse-midwife, or certified nurse practitioner to do any of the 4393  
following: 4394

(1) Supervise services provided by a home health agency as 4395  
defined in section 3740.01 of the Revised Code; 4396

(2) Admit a patient to a hospital in accordance with 4397  
section 3727.06 of the Revised Code; 4398

(3) Sign any document relating to the admission, 4399  
treatment, or discharge of an inpatient receiving psychiatric or 4400  
other behavioral health care services, but only if the 4401  
conditions of section 4723.436 of the Revised Code have been 4402  
met. 4403

(D) (1) Except as provided in division (D) (2) of this 4404  
section, if a physician or podiatrist terminates the 4405

collaboration between the physician or podiatrist and a 4406  
certified nurse-midwife, certified nurse practitioner, or 4407  
clinical nurse specialist before their standard care arrangement 4408  
expires, all of the following apply: 4409

(a) The physician or podiatrist must give the nurse 4410  
written or electronic notice of the termination. 4411

(b) Once the nurse receives the termination notice, the 4412  
nurse must notify the board of nursing of the termination as 4413  
soon as practicable by submitting to the board a copy of the 4414  
physician's or podiatrist's termination notice. 4415

(c) Notwithstanding the requirement of section 4723.43 of 4416  
the Revised Code that the nurse practice in collaboration with a 4417  
physician or podiatrist, the nurse may continue to practice 4418  
under the existing standard care arrangement without a 4419  
collaborating physician or podiatrist for not more than one 4420  
hundred twenty days after submitting to the board a copy of the 4421  
termination notice. 4422

(2) In the event that the collaboration between a 4423  
physician or podiatrist and a certified nurse-midwife, certified 4424  
nurse practitioner, or clinical nurse specialist terminates 4425  
because of the physician's or podiatrist's death, the nurse must 4426  
notify the board of the death as soon as practicable. The nurse 4427  
may continue to practice under the existing standard care 4428  
arrangement without a collaborating physician or podiatrist for 4429  
not more than one hundred twenty days after notifying the board 4430  
of the physician's or podiatrist's death. 4431

(E) Nothing in this section prohibits a hospital from 4432  
hiring a clinical nurse specialist, certified nurse-midwife, or 4433  
certified nurse practitioner as an employee and negotiating 4434

standard care arrangements on behalf of the employee as 4435  
necessary to meet the requirements of this section. A standard 4436  
care arrangement between the hospital's employee and the 4437  
employee's collaborating physician is subject to approval by the 4438  
medical staff and governing body of the hospital prior to 4439  
implementation of the arrangement at the hospital. 4440

**Sec. 4730.19.** (A) Before initiating supervision of one or 4441  
more physician assistants licensed under this chapter, a 4442  
physician shall enter into a supervision agreement with each 4443  
physician assistant who will be supervised. A supervision 4444  
agreement may apply to one or more physician assistants, but, 4445  
except as provided in division ~~(B) (2) (e)~~ (B) (2) (f) of this 4446  
section, may apply to not more than one physician. The 4447  
supervision agreement shall specify that the physician agrees to 4448  
supervise the physician assistant and the physician assistant 4449  
agrees to practice under that physician's supervision. 4450

The agreement shall clearly state that the supervising 4451  
physician is legally responsible and assumes legal liability for 4452  
the services provided by the physician assistant. The agreement 4453  
shall be signed by the physician and the physician assistant. 4454

(B) A supervision agreement shall include either or both 4455  
of the following: 4456

(1) If a physician assistant will practice within a health 4457  
care facility, the agreement shall include terms that require 4458  
the physician assistant to practice in accordance with the 4459  
policies of the health care facility. 4460

(2) If a physician assistant will practice outside a 4461  
health care facility, the agreement shall include terms that 4462  
specify all of the following: 4463

- (a) The responsibilities to be fulfilled by the physician 4464  
in supervising the physician assistant; 4465
- (b) The responsibilities to be fulfilled by the physician 4466  
assistant when performing services under the physician's 4467  
supervision; 4468
- (c) Any limitations on the responsibilities to be 4469  
fulfilled by the physician assistant; 4470
- (d) The circumstances under which the physician assistant 4471  
is required to refer a patient to the supervising physician; 4472
- (e) An agreement that the supervising physician shall 4473  
complete and sign the medical certificate of death pursuant to 4474  
section 3705.16 of the Revised Code; 4475
- (f) If the supervising physician chooses to designate 4476  
physicians to act as alternate supervising physicians, the 4477  
names, business addresses, and business telephone numbers of the 4478  
physicians who have agreed to act in that capacity. 4479
- (C) A supervision agreement may be amended to modify the 4480  
responsibilities of one or more physician assistants or to 4481  
include one or more additional physician assistants. 4482
- (D) The supervising physician who entered into a 4483  
supervision agreement shall retain a copy of the agreement in 4484  
the records maintained by the supervising physician. Each 4485  
physician assistant who entered into the supervision agreement 4486  
shall retain a copy of the agreement in the records maintained 4487  
by the physician assistant. 4488
- (E) (1) If the board finds, through a review conducted 4489  
under this section or through any other means, any of the 4490  
following, the board may take disciplinary action against the 4491

individual under section 4730.25 or 4731.22 of the Revised Code, 4492  
impose a civil penalty, or both: 4493

(a) That a physician assistant has practiced in a manner 4494  
that departs from, or fails to conform to, the terms of a 4495  
supervision agreement entered into under this section; 4496

(b) That a physician has supervised a physician assistant 4497  
in a manner that departs from, or fails to conform to, the terms 4498  
of a supervision agreement entered into under this section; 4499

(c) That a physician or physician assistant failed to 4500  
comply with division (A) or (B) of this section. 4501

(2) If the board finds, through a review conducted under 4502  
this section or through any other means, that a physician or 4503  
physician assistant failed to comply with division (D) of this 4504  
section, the board may do either of the following: 4505

(a) Take disciplinary action against the individual under 4506  
section 4730.25 or 4731.22 of the Revised Code, impose a civil 4507  
penalty, or both; 4508

(b) Permit the individual to agree in writing to update 4509  
the records to comply with division (D) of this section and pay 4510  
a civil penalty. 4511

(3) The board's finding in any disciplinary action taken 4512  
under division (E) of this section shall be made pursuant to an 4513  
adjudication conducted under Chapter 119. of the Revised Code. 4514

(4) A civil penalty imposed under division (E) (1) or (2) 4515  
(a) of this section or paid under division (E) (2) (b) of this 4516  
section shall be in an amount specified by the board of not more 4517  
than five thousand dollars and shall be deposited in accordance 4518  
with section 4731.24 of the Revised Code. 4519

Sec. 5153.112. (A) A public children services agency may 4520  
hire as a caseworker only the following: 4521

(1) A person who has a bachelor's degree in human 4522  
services-related studies; 4523

(2) A person who has a bachelor's degree in any field and 4524  
has been employed for at least two years in a human services- 4525  
related occupation; 4526

(3) A person who has an associate's degree in human 4527  
services-related studies; 4528

(4) A person who has completed at least sixty semester 4529  
credit hours or the equivalent towards a degree in human 4530  
services-related studies from an accredited institution of 4531  
higher education; 4532

(5) A person who has been employed for at least five years 4533  
in a human services-related occupation. 4534

~~(B) For~~ (B) (1) Except as provided in division (B) (2) of 4535  
this section, for employment to continue, a person described in 4536  
division (A) (2), (3), ~~or~~ (4), or (5) of this section must obtain 4537  
a job-related bachelor's degree not later than five years after 4538  
the date employment with the agency commences. 4539

(2) An executive director of a public children services 4540  
agency may waive the requirement described in division (B) (1) of 4541  
this section for an employee in good standing who demonstrates 4542  
inability to meet this requirement due to hardship. To be 4543  
considered in good standing for the purposes of this division, 4544  
an employee must meet at least all of the following 4545  
requirements: 4546

(a) Be in compliance with training requirements; 4547

(b) Has not received any formal discipline during the 4548  
twelve months preceding the employee's five-year anniversary 4549  
date; 4550

(c) Is not the subject of any investigation into 4551  
allegations of professional misconduct. 4552

(C) This section applies only to persons hired on or after 4553  
~~the effective date of this section~~October 5, 2000, and does not 4554  
apply to a caseworker employed by a public children services 4555  
agency before the effective date of this section who is hired by 4556  
another public children services agency on or after that date. 4557

**Sec. 5540.03.** (A) A transportation improvement district 4558  
may: 4559

(1) Adopt bylaws for the regulation of its affairs and the 4560  
conduct of its business; 4561

(2) Adopt an official seal; 4562

(3) Sue and be sued in its own name, plead and be 4563  
impleaded, provided any actions against the district shall be 4564  
brought in the court of common pleas of the county in which the 4565  
principal office of the district is located, or in the court of 4566  
common pleas of the county in which the cause of action arose, 4567  
and all summonses, exceptions, and notices of every kind shall 4568  
be served on the district by leaving a copy thereof at its 4569  
principal office with the secretary-treasurer; 4570

(4) Purchase, fund, finance, construct, maintain, repair, 4571  
sell, exchange, police, operate, or lease projects; 4572

(5) Issue either or both of the following for the purpose 4573  
of providing funds to pay the costs of any project or part 4574  
thereof: 4575

- (a) Transportation improvement district revenue bonds; 4576
- (b) Bonds pursuant to Section 13 of Article VIII, Ohio 4577  
Constitution. 4578
- (6) Maintain such funds as it considers necessary; 4579
- (7) Direct its agents or employees, when properly 4580  
identified in writing and after at least five days' written 4581  
notice, to enter upon lands within its jurisdiction to make 4582  
surveys and examinations preliminary to the location and 4583  
construction of projects for the district, without liability of 4584  
the district or its agents or employees except for actual damage 4585  
done; 4586
- (8) Make and enter into all contracts and agreements 4587  
necessary or incidental to the performance of its functions and 4588  
the execution of its powers under this chapter; 4589
- (9) Employ or retain or contract for the services of 4590  
consulting engineers, superintendents, managers, and such other 4591  
engineers, construction and accounting experts, auditors, 4592  
financial advisers, trustees, marketing, remarketing, and 4593  
administrative agents, attorneys, and other employees, 4594  
independent contractors, or agents as are necessary in its 4595  
judgment and fix their compensation, provided all such expenses 4596  
shall be payable solely from the proceeds of bonds or from 4597  
revenues; 4598
- (10) Receive and accept from the federal or any state or 4599  
local government, including, but not limited to, any agency, 4600  
entity, or instrumentality of any of the foregoing, loans and 4601  
grants for or in aid of the construction, maintenance, or repair 4602  
of any project, and receive and accept aid or contributions from 4603  
any source or person of money, property, labor, or other things 4604



of value, to be held, used, and applied only for the purposes 4605  
for which such loans, grants, and contributions are made. 4606  
Nothing in division (A) (10) of this section shall be construed 4607  
as imposing any liability on this state for any loan received by 4608  
a transportation improvement district from a third party unless 4609  
this state has entered into an agreement to accept such 4610  
liability. 4611

(11) Acquire, hold, and dispose of property in the 4612  
exercise of its powers and the performance of its duties under 4613  
this chapter; 4614

(12) Establish and collect tolls or user charges for its 4615  
projects; 4616

(13) Subject to section 5540.18 of the Revised Code, enter 4617  
into an agreement with a contiguous board of county 4618  
commissioners other than the board of county commissioners that 4619  
created the transportation improvement district, for the 4620  
district to exercise all or any portion of its powers with 4621  
respect to a project that is located wholly or partially within 4622  
the county that is party to the agreement; 4623

(14) Cooperate with any governmental agencies in the 4624  
planning, design, acquisition, construction, maintenance, 4625  
funding, and financing of projects, including qualifying 4626  
projects. In doing so, the district may enter into agreements 4627  
with other governmental agencies to plan, design, acquire, 4628  
construct, maintain, fund, and finance the projects or 4629  
qualifying projects and to use pledged or assigned sales and use 4630  
tax revenue to pay the debt service on qualifying bonds. 4631

(15) Enter into an agreement with the board of county 4632  
commissioners that created the transportation improvement 4633

district and with the boards of county commissioners of any 4634  
contiguous group of counties to exercise all powers of the 4635  
district with respect to a project that is both of the 4636  
following: 4637

(a) Located partially or wholly within any county that is 4638  
a party to the agreement; 4639

(b) Partially funded with federal money. 4640

(16) Do all acts necessary and proper to carry out the 4641  
powers expressly granted in this chapter. 4642

(B) (1) Chapters 123., 124., 125., and 153., and sections 4643  
9.331 to 9.335 and 307.86 of the Revised Code do not apply to 4644  
contracts or projects of a transportation improvement district. 4645

(2) A transportation improvement district is subject to 4646  
sections 4115.03 to 4115.21 and 4115.99 of the Revised Code, 4647  
unless the amount of state or local government funds, including, 4648  
but not limited to, those provided by any agency, entity, or 4649  
instrumentality of the state or a local government as described 4650  
in division (A) (10) of this section received for the contract or 4651  
project, is, in the aggregate, less than the amounts described 4652  
in or calculated under section 4115.03 of the Revised Code. 4653

(C) A transportation improvement district may contract 4654  
with the prosecuting attorney of a county, as provided in 4655  
section 309.09 of the Revised Code, to obtain legal services 4656  
from the prosecuting attorney. 4657

**Section 2.** That existing sections 7.10, 7.16, 125.182, 4658  
135.33, 149.38, 153.31, 153.35, 153.36, 153.37, 153.38, 153.39, 4659  
153.44, 301.02, 301.15, 301.28, 301.29, 303.06, 303.08, 303.09, 4660  
303.12, 303.15, 303.32, 303.58, 307.022, 307.041, 307.10, 4661  
307.12, 307.37, 307.39, 307.561, 307.676, 307.70, 307.79, 4662

307.791, 307.81, 307.82, 307.83, 307.87, 307.88, 307.981, 4663  
309.09, 313.02, 313.10, 313.12, 313.14, 313.161, 317.20, 319.11, 4664  
321.18, 322.02, 322.021, 323.08, 323.122, 323.62, 323.73, 4665  
325.15, 331.06, 339.08, 345.03, 1901.023, 2151.271, 2335.061, 4666  
4723.431, 4730.19, 5153.112, and 5540.03 of the Revised Code are 4667  
hereby repealed. 4668

**Section 3.** (A) The Governor may execute a Governor's Deed 4669  
in the name of the State to the Board of County Commissioners of 4670  
Montgomery County, Ohio and its successors and assigns, 4671  
releasing the possibility of reverter retained in the following 4672  
described real estate pursuant to Section 3 of S.B. 394 of the 4673  
110th General Assembly: 4674

Situated in the northwest quarter of Section 26, Town 2, 4675  
Range 7, M.R.S. and in the City of Dayton, County of Montgomery, 4676  
State of Ohio and being part of the 20.3 acre tract acquired by 4677  
the State of Ohio as described in Deed Book 1326, Page 247, 4678  
Recorder's Office, Montgomery County and being more particularly 4679  
described as follows: 4680

Beginning at an iron pin at the southwest corner of said 4681  
20.3 acre tract, said iron pin being also at the east corner of 4682  
Lot Number 59845 of the Revised and Consecutive Lot Numbers of 4683  
the City of Dayton and in the north line of Thorpe Drive. Thence 4684  
continuing with the boundary of said 20.3 acre tract for the 4685  
following courses: North 21° 22' 00" West, a distance of 181.15 4686  
feet to an iron pin; thence North 40° 59' 00" West, a distance 4687  
of 165.76 feet to an iron pin; thence North 21° 21' 00" West, a 4688  
distance of 49.08 feet to an iron pin; thence North 01° 02' 00" 4689  
East, a distance of 133.24 feet to an iron pin, passing a corner 4690  
of said 20.3 acre tract at a distance of 50.00 feet; thence 4691  
South 89° 03' 15" East, a distance of 881.17 feet to an iron 4692

pin; thence South 00° 58' 50" West, a distance of 417.54 feet to 4693  
an iron pin; thence South 78° 01' 20" West, a distance of 220.73 4694  
feet to an iron pin; thence North 89° 22' 40" West, and in part 4695  
with the north line of Thorpe Drive a distance of 467.83 feet to 4696  
the place of beginning; containing 8.500 acres. Subject to all 4697  
highways, easements, and restrictions of record. 4698

Montgomery County Parcel No. R72 14301 0038 4699

Prior Instrument Reference: 74-00217C08 4700

The foregoing legal description may be corrected or 4701  
modified by the Department of Administrative Services to a final 4702  
form if such corrections or modifications are needed to 4703  
facilitate recordation of the deed. 4704

(B) The Department of Administrative Services is hereby 4705  
authorized to prepare, execute, and record a release of the 4706  
easement retained by the State pursuant to Section 1 of S.B. 394 4707  
of the 110th General Assembly, if the Department of 4708  
Administrative Services determines that the easement is no 4709  
longer necessary. The easement is described as follows: 4710

Beginning at an iron pin at the southwest corner of said 4711  
8.500 acre property, said iron pin being also at the east corner 4712  
of Lot Number 59845 of the Revised and Consecutive Lot Numbers 4713  
of the City of Dayton and the north line of Thorpe Drive. Thence 4714  
continuing South 89° 22' 40" East, a distance of 307.85 feet 4715  
through a 20.3 acre tract of land conveyed to the State of Ohio 4716  
by deed recorded in Deed Book 1326, Page 247, Recorder's Office, 4717  
Montgomery County; thence North 00° 37' 20" East, a distance of 4718  
30.00 feet; thence North 89° 22' 40" West, a distance of 319.96 4719  
feet to a point on the northeast line of aforementioned Lot 4720  
Number 59845; thence South 21° 22' 00" East, along the northeast 4721

line of said lot a distance of 32.35 feet to the place of 4722  
beginning. Containing 0.216 acre. The above described property 4723  
is part of Lot 61378. 4724

Montgomery County Parcel No. R72 14301 0038 4725

Prior Instrument Reference: 74-00217C08 4726

The foregoing legal description may be corrected or 4727  
modified by the Department of Administrative Services to a final 4728  
form if such corrections or modifications are needed to 4729  
facilitate recordation of the deed or the release of the 4730  
easement. 4731

(C) The Department of Administrative Services, with the 4732  
assistance of the Attorney General, shall prepare a Governor's 4733  
Deed to the Montgomery County Commissioners, for the purpose of 4734  
relinquishing the possibility of reverter retained in the real 4735  
estate described in division (A) of this section. The Governor's 4736  
Deed shall state that the State is releasing the possibility of 4737  
reverter and shall be executed by the Governor in the name of 4738  
the State, countersigned by the Secretary of State, sealed with 4739  
the Great Seal of the State, presented in the Department of 4740  
Administrative Services for recording, and delivered to the 4741  
Montgomery County Board of Commissioners. The Board of County 4742  
Commissioners of Montgomery County, Ohio shall present the 4743  
Governor's Deed for recording in the Office of the Montgomery 4744  
County Recorder. 4745

The Department of Administrative Services is authorized to 4746  
take any other actions that may be necessary to release the 4747  
possibility of reverter or release the easement. 4748

(D) This section expires three years after its effective 4749  
date. 4750

**Section 4.** (A) The Governor may execute a Governor's Deed 4751  
in the name of the State conveying to Knox County Park District 4752  
("Grantee"), and its successors and assigns, to be determined in 4753  
the manner provided in division (C) of this section all of the 4754  
State's right, title, and interest in the following described 4755  
real estate: 4756

Situated in the Northeast and Southeast Quarters of 4757  
Section 16 and the Northwest and Southwest Quarters of Section 4758  
17, Quarter 3, Township 7 North, Range 12 West, Monroe Township, 4759  
U.S.M.L., Knox County, Ohio and being described as follows: 4760

Commencing in the centerline of Vernonview Drive (State 4761  
Route 768) at the northwest corner of the Northeast Quarter of 4762  
Section 16 and being the northwest corner and beginning point of 4763  
the tract herein described; 4764

Thence along the north line of the Northeast Quarter of 4765  
Section 16 and the south lines of a 1.0 acre tract (J. Williams, 4766  
D.V. 1350, Pg. 105) and a 111.2184 acre tract (Cumberland Gas 4767  
Marketing Co., D.V. 1143, Pg. 40) South 88 deg. 29' 56" East, 4768  
passing through a 5/8" iron pin set at 25.00 feet, a total of 4769  
2722.62 feet to a stone found at the northeast corner of the 4770  
Northeast Quarter of Section 16; 4771

Thence along the east line of Section 16 and the west line 4772  
of Section 17 and the west lines of a 48.935 acre tract (Gregory 4773  
Konzen, D.V. 1534, Pg. 683), a 20.308 acre tract (Daniel Hamric, 4774  
D.V. 1357, Pg. 695) and a 20.163 acre tract (Daniel Hamric, D. 4775  
V. 1357, Pg. 699) South 1 deg.16' 03" West 1502.58 feet to a 4776  
5/8" iron pin found at the southwest corner of said 20.163 4777  
acres; 4778

Thence along the south line of said 20.163 acres and the 4779

south line of 1.06 acres (N. & M. Muka, D.V. 1391, Pg. 680) 4780  
South 88 deg. 32' 43" East, passing through a 1/2" iron pipe 4781  
found at 2048.83 feet, a total of 2068.83 feet to the centerline 4782  
of Upper Gilchrist Road (Township Road 254); 4783

Thence along the centerline of said road the following 4 4784  
courses; 4785

1- South 8 deg. 47' 26" East 511.37 feet to a Cotton Gin 4786  
Spike set; 4787

2- South 10 deg. 55' 55" East 96.76 feet to a Cotton Gin 4788  
Spike Set; 4789

3- South 31 deg. 27' 34" East 300.00 feet to a Cotton Gin 4790  
Spike Set; 4791

4- South 39 deg. 47' 34" East 555.95 feet to a 1/2" iron 4792  
pipe found at the southeast corner of the Northwest Quarter of 4793  
Section 17. 4794

Thence along the south line of the Northwest Quarter of 4795  
Section 17 and the north line of the Southwest Quarter of 4796  
Section 17 and the north line of a 12.62 acre tract (Time Warner 4797  
Cable Midwest, LLC, D.V. 1366, Pg. 441) North 88 deg.17' 32" 4798  
West 1127.11 feet to a 5/8" iron pin found at the northwest 4799  
corner of said 12.62 acres; 4800

Thence along the west line of said tract South 2 deg. 31' 4801  
50" West 579.04 feet to a 5/8" iron pin found at the southwest 4802  
corner of said 12.62 acres and a northwest corner of a 56.715 4803  
acre tract (Benchmark Bank, D.V. 1623, Pg. 677); 4804

Thence along a west line of said 56.715 acres South 1 deg. 4805  
29' 05" West 608.58 feet to a stone found; 4806

Thence along a north line of said 56.715 acres North 88 4807

deg. 21' 12" West 1566.71 feet to the northwest corner of said 4808  
tract and the northeast corner of a 44.974 acre tract (Michael 4809  
and Karen Kepple, D.V. 1162, Pg. 359); 4810

Thence along the north line of said 44.974 acres North 88 4811  
deg.15'21" West 461.56 feet to a 1" iron pipe found at the 4812  
southeast corner of a 44.210 acre tract (AAA Storage of Mount 4813  
Vernon, D.V. 1257, Pg. 151); 4814

Thence along the east line of said 44.974 acres North 1 4815  
deg. 16' 56" West 731.22 feet to a 5/8" iron pin set; 4816

Thence through grantors parcels the following 7 courses; 4817

1- South 76 deg. 23' 03" East 816.72 feet to a 5/8" iron 4818  
pin set; 4819

2- South 64 deg. 29' 15" East 403.01 feet to a 5/8" iron 4820  
pin set; 4821

3- North 40 deg. 04' 35" East 391.95 feet to a 5/8" iron 4822  
pin set; 4823

4- North 23 deg. 48' 39" West 1252.14 feet to a 5/8" iron 4824  
pin set; 4825

5- North 82 deg. 45' 44" West 1268.44 feet to a 5/8" iron 4826  
pin set; 4827

6- North 1 deg. 08' 39" East 1494.97 feet to a 5/8" iron 4828  
pin set; 4829

7- South 79 deg. 55' 32" West, passing through a 5/8" iron 4830  
pin set at 1849.47 feet, a total of 1877.43 feet to the west 4831  
line of the Northeast Quarter of Section 16 and the centerline 4832  
of Vernonview Drive. 4833

Thence along the centerline of said road North 1 deg. 14' 4834



52" East 867.15 feet to the point of beginning, containing 4835  
165.442 acres, as surveyed in August 2017 by Tracy & Mills, 4836  
Surveyors, 10 E. Vine Street, Mount Vernon, Ohio, David R. 4837  
Mills, Surveyor #7157, Ohio. North based on the centerline of 4838  
Upper Gilchrist Road per Survey Record Volume M, page 619. Note: 4839  
Iron pins set are 5/8" x 30" rebar with plastic cap stamped 4840  
Tracy and Mills. 4841

Part of Parcel # 49-50017.000 (69.816 acres) Deed Volume 4842  
120, Page 184, # 49-50015.000 (88.201 acres) Deed Volume 119, 4843  
Page 564 and # 49-50016.000 (7.425 acres) Deed Volume 119, Page 4844  
565. 4845

The foregoing legal description may be corrected or 4846  
modified by the Department of Administrative Services to a final 4847  
form if such corrections or modifications are needed to 4848  
facilitate recordation of the deed. 4849

(B) (1) The conveyance includes improvements and chattels 4850  
situated on the real estate, and is subject to all easements, 4851  
covenants, conditions, leases, and restrictions of record: all 4852  
legal highways and public rights-of-way; zoning, building, and 4853  
other laws, ordinances, restrictions, and regulations; and real 4854  
estate taxes and assessments not yet due and payable. The real 4855  
estate shall be conveyed in an "as-is, where-is, with all 4856  
faults" condition. 4857

(2) The deed may contain restrictions, exceptions, 4858  
reservations, reversionary interests, and other terms and 4859  
conditions the Director of Administrative Services determines to 4860  
be in the best interest of the State. 4861

(3) If the real estate described herein is no longer being 4862  
used exclusively by Knox County Park District for park purposes 4863

only, the real estate described herein shall revert back to the 4864  
State of Ohio at the sole discretion of the Director of 4865  
Administrative Services and the Director of the Department of 4866  
Developmental Disabilities. 4867

(4) The Grantee shall develop the real estate implementing 4868  
a land use design that will preserve a "buffer zone" area 4869  
between any improvements and adjacent state-owned facilities. 4870  
The Director of the Department of Developmental Disabilities and 4871  
the Director of Administrative Services shall review the plans 4872  
for the land use design required by this division. No 4873  
construction on the real estate may commence unless the 4874  
Directors approve the plans. The Directors shall not 4875  
unreasonably withhold approval of the plans. 4876

(5) The Property shall not be used in any way that would 4877  
be inconsistent with the operation of the neighboring property 4878  
as a developmental center or incompatible with the safety and 4879  
enjoyment of the patients of such facility with the use of the 4880  
adjacent property by the Department of Developmental 4881  
Disabilities. 4882

(6) The deed shall contain restrictions prohibiting the 4883  
purchaser or purchasers from occupying, using, developing, or 4884  
selling the real estate if the occupation, use, development, or 4885  
sale will interfere with the quiet enjoyment of neighboring 4886  
state-owned land. 4887

(7) Grantor herein reserves and retains unto itself the 4888  
ownership of all mineral rights in the Property as such 4889  
interests are not being conveyed to Grantee by the deed 4890  
authorized by this act. 4891

(8) Grantee will provide, develop, and permit Grantor a 4892

controlled access point for ingress and egress to and from the 4893  
park from Grantee's Developmental Center. The Grantee shall 4894  
develop the real estate implemental design that will be reviewed 4895  
by the Directors of the Department of Administrative Services 4896  
and the Department of Developmental Disabilities. No 4897  
construction on the real estate may commence unless the 4898  
Directors approve the plans. The Directors shall not 4899  
unreasonably withhold approval of the plans. 4900

(9) Grantee will develop and maintain a park that is 4901  
accessible and inclusive to persons of physical and mental 4902  
disabilities and adhere to all applicable ADA laws and rules 4903  
governing persons with disabilities. 4904

(10) Subsequent to the conveyance, any restrictions, 4905  
exceptions, reservations, or other terms and conditions 4906  
contained in the deed may be released by the State or the 4907  
Department of Developmental Disabilities without the necessity 4908  
of further legislation. 4909

(C) Consideration for the conveyance of the real estate 4910  
described in division (A) of this section shall be \$1.00. 4911

The Director of Administrative Services shall offer the 4912  
real estate to Knox County Park District through a real estate 4913  
purchase agreement. If Knox County Park District does not 4914  
complete the purchase of the real estate within the time period 4915  
provided in the real estate purchase agreement, the Director of 4916  
Administrative Services may use any reasonable method of sale 4917  
considered acceptable by the Department of Developmental 4918  
Disabilities to determine an alternate grantee willing to 4919  
complete the purchase within three years after the effective 4920  
date of this section. The Department of Developmental 4921  
Disabilities shall pay all advertising costs, additional fees, 4922

and other costs incident to the sale of the real estate. 4923

(D) The real estate described in division (A) of this 4924  
section shall be sold as an entire tract and not in parcels. 4925

(E) Grantee shall pay all costs associated with the 4926  
purchase, closing and conveyance, including surveys, title 4927  
evidence, title insurance, transfer costs and fees, recording 4928  
costs and fees, taxes, and any other fees, assessments, and 4929  
costs that may be imposed. 4930

The net proceeds of the sale shall be deposited into the 4931  
state treasury to the credit of the General Revenue Fund. 4932

(F) Upon payment of the purchase price, the Director of 4933  
Administrative Services, with the assistance of the Attorney 4934  
General, shall prepare a Governor's Deed to the real estate 4935  
described in division (A) of this section. The Governor's Deed 4936  
shall state the consideration and shall be executed by the 4937  
Governor in the name of the State, countersigned by the 4938  
Secretary of State, sealed with the Great Seal of the State, 4939  
presented in the Department of Administrative Services for 4940  
recording, and delivered to the Grantee. The Grantee shall 4941  
present the Governor's Deed for recording in the Office of the 4942  
Knox County Recorder. 4943

(G) This section expires three years after its effective 4944  
date. 4945