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135th General Assembly

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Sub. H. B. No. 497

Representatives Stewart, Klopfenstein

Cosponsors: Representatives Creech, Peterson, Seitz, Dean, Lorenz, Johnson, Hoops, Claggett, Barhorst, Wiggam, Brennan, Dell'Aquila, Dobos, Hillyer, John, Lampton, Mathews, McClain, Mohamed, Plummer, Robb Blasdel, Schmidt, Somani, Stein, Williams, Willis

Senators Brenner, Cirino, DeMora, Gavarone, Hicks-Hudson, Landis, Reineke, Smith, Wilson

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

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 county, municipal corporation, township, school, or other political subdivision, publishers of newspapers shall establish a government rate. The government rate shall not exceed the lowest classified advertising rate and lowest insert rate paid 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 76
web site, established under section 125.182 of the Revised Code, 77
by the publisher of the newspaper. 78

Sec. 7.16. (A) As used in this section: 79

(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, 139
2014, in all cases in which a notice or advertisement is 140
required by a section of the Revised Code or an administrative 141
rule to be published in a newspaper of general circulation, or 142
in a daily law journal as required by section 2701.09 of the 143
Revised Code, the notice or advertisement also shall be posted 144
on the official public notice web site by the publisher of the 145
newspaper or journal. 146

The operator of the official public notice web site shall: 147

(1) Use a domain name for the web site that will be easily 148
recognizable and remembered by and understandable to users of 149
the web site; 150

(2) Maintain the web site on the internet so that it is 151
fully accessible to and searchable by members of the public at 152
all times, other than during maintenance or acts of God outside 153
the operator's control; 154

(3) Not charge a fee to a person that accesses the web 155
site to view notices or advertisements or to perform searches of 156
the web site, provided that the operator may charge a fee for 157
enhanced search and customized content delivery features; 158

~~(4) Not charge a fee to a state agency or political 159
subdivision for publishing a notice or advertisement on the web 160
site, including when the notice or advertisement is not 161
otherwise published in a newspaper or journal; 162~~

~~(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;

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

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

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

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

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

~~(11)~~(10) Provide, if requested, a regularly scheduled feed or similar data transfer to the department of administrative services of notices and advertisements posted on the web site, provided that the operator of the web site shall not be required

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 437
to sections 153.01 to 153.60, inclusive, of the Revised Code, in 438
relation to the erection of bridges as nearly as the nature of 439
the case will permit. 440

Sec. 153.36. (A) If the plans, drawings, representations, 441
bills of material, and specifications of work, and estimates of 442
the cost thereof in detail and in the aggregate, required in 443
sections 153.31 to 153.35, inclusive, of the Revised Code, 444
relate to the building of a courthouse or jail, or an addition 445
to or alteration, repair, or improvement thereof, they shall be 446
submitted to the board of county commissioners, ~~together with.~~ 447
If the estimated total cost of the project is greater than 448
seventy-five thousand dollars, the materials also shall be 449
submitted to the clerk of the court of common pleas, the 450
sheriff, and probate judge, and one person to be appointed by 451
the judge of the court of common pleas, for their approval. ~~If A~~ 452
project with an estimated total cost greater than seventy-five 453
thousand dollars shall not commence unless approved by a 454
majority of them, ~~a~~. A copy thereof of the materials shall be 455
~~deposited with the county auditor and kept in his~~ the office of 456
the board of county commissioners. 457

(B) A board of county commissioners may independently 458

approve a project described in division (A) of this section that 459
has an estimated total cost of seventy-five thousand dollars or 460
less. The board may seek the advice of the clerk of the court of 461
common pleas, the sheriff, and a probate judge, on the project. 462

Sec. 153.37. If the plans, drawings, representations, 463
bills of material, and specifications of work and estimates of 464
the cost thereof relate to the building, addition to, or 465
alteration of a county home, they shall be submitted to the 466
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, 526
and purpose of such meeting shall be given by using at least one 527
of the following methods: 528

(A) By publication in a the print or digital edition of a 529
newspaper of general circulation in the county; 530

(B) On the official public notice web site established 531
under section 125.182 of the Revised Code, or by being posted in 532
three of the most public places in such county.; 533

(C) On the web site and social media account of the 534
county.~~When~~ 535

When assembled, after having taken the oath of office 536
prescribed by sections 3.22 and 3.23 of the Revised Code, such 537
commissioners shall proceed to examine and select the most 538
proper place as a seat of justice, as near the center of the 539
county as possible, having regard to the situation, extent of 540
population, quality of land, and the convenience and interest of 541
the inhabitants. 542

Sec. 301.28. (A) As used in this section: 543

(1) "Financial transaction device" includes a credit card, 544
debit card, charge card, or prepaid or stored value card, or 545

automated clearinghouse network credit, debit, or e-check entry 546
that includes, but is not limited to, accounts receivable and 547
internet-initiated, point of purchase, and telephone-initiated 548
applications or any other device or method for making an 549
electronic payment or transfer of funds. 550

(2) "County expenses" includes fees, costs, taxes, 551
assessments, fines, penalties, payments, or any other expense a 552
person owes or otherwise pays to a county office under the 553
authority of a county official, other than dog registration and 554
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

<u>following methods:</u>	844
<u>(a) In the print or digital edition of a newspaper of</u>	845
<u>general circulation within the county;</u>	846
<u>(b) On the official public notice web site established</u>	847
<u>under section 125.182 of the Revised Code;</u>	848
<u>(c) Or on the web site and social media account of the</u>	849
<u>county. The</u>	850
<u>The</u> advertisement shall specify the purpose of the	851
request, the type of procurement card or cards sought, and the	852
date by which proposals must be received. That date shall not be	853
less than ten days after the last day of the second week in	854
which the request is advertised.	855
The board also may post the advertisement by electronic	856
means, including posting the advertisement on the county's	857
internet site on the world wide web. If the advertisement is	858
posted on the county web site, the board may eliminate the	859
second newspaper publication otherwise required by this division	860
if the first notice published in a newspaper of general	861
circulation meets all of the following:	862
(a) It is published at least two weeks before the date	863
required for the receipt of the proposals.	864
(b) It includes a statement that the notice is posted on	865
the county's internet site on the world wide web.	866
(c) It includes the county's internet address on the world	867
wide web.	868
(d) It provides instruction for accessing the	869
advertisement on the county web site.	870

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 by that appointing authority. The authorization request shall state whether the card is to be issued only in the name of the office of the appointing authority or whether the issued card also shall include the name of a specified officer or employee.

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

(F) (1) Except as otherwise provided in division (F) (2) of this section, every officer or employee authorized to use a procurement card held by the board or appointing authority shall submit to the board by the first day of each month an estimate of the officer's or employee's work-related expenses for that month, unless the board authorizes, by resolution, the officer or employee to submit to the board such an estimate for a period longer than one month. The board may revise the estimate and determine the amount it approves, if any, not to exceed the estimated amount. The board shall certify the amount of its determination to the county auditor along with the specific appropriation line items from which the expenditures are to be

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 941
request, the county auditor certifies that sum of money is in 942
the treasury or in the process of collection to the credit of 943
the appropriate appropriation line item for which the 944
procurement card was used, and is free from previous and then- 945
outstanding obligations or certifications. If the card is used 946
for more than the amount originally authorized and if for any 947
reason that amount is not authorized after the fact, the county 948
treasury shall be reimbursed for any amount spent beyond the 949
originally authorized amount in the following manner: 950

(a) If the card is issued in the name of a specific 951
officer or employee, the officer or employee is liable in person 952
and upon any official bond the officer or employee has given to 953
the county to reimburse the county treasury for the amount 954
charged to the county beyond the originally authorized amount. 955

(b) If the card is issued to the office of the appointing 956
authority, the appointing authority is liable in person and upon 957
any official bond the appointing authority has given to the 958
county for the amount charged to the county beyond the 959
originally authorized amount. 960

(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 is used for more than the amount originally appropriated and if for any reason that amount is not appropriated or transferred as permitted by this division, the county treasury shall be reimbursed for any amount spent beyond the originally appropriated 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 for reimbursing the county treasury for any amount charged on the card beyond the originally appropriated amount.

(b) If the card is issued in the name of 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 reimbursement for any amount charged on the card beyond the originally appropriated amount.

(3) Whenever any officer or employee who is authorized to use a procurement card held by the board or the office of any other county appointing authority suspects the loss, theft, or possibility of unauthorized or unlawful use of the card, the

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

<u>under section 125.182 of the Revised Code;</u>	1191
<u>(3) On the web site and social media account of the</u>	1192
<u>county.</u>	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 zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:

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

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

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

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

(5) Any other information requested by the board.

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

The proposed amendment, if adopted by the board, shall become effective in thirty days after the date of its adoption, unless, within thirty days after the adoption, there is presented to the board of county commissioners a petition, signed by a number of qualified voters residing in the unincorporated area of the township or part of that unincorporated area included in the zoning plan equal to not less than eight per cent of the total vote cast for all

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 1289

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

_____ 1301

(Signature of circulator) 1302

_____ 1303

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

(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 <u>using at least one of the</u>	1404
<u>following methods:</u>	1405
(i) <u>In the print or digital edition of a newspaper of</u>	1406
general circulation within the county;	1407
(ii) <u>On the official public notice web site established</u>	1408
<u>under section 125.182 of the Revised Code;</u>	1409
(iii) <u>On the web site and social media account of the</u>	1410
<u>county.</u>	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 within the building;	1505 1506
(2) Storm windows and doors, multiglazed windows and doors, heat-absorbing or heat-reflective glazed and coated window and door systems, additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption;	1507 1508 1509 1510 1511
(3) Automatic energy control systems;	1512
(4) Heating, ventilating, or air conditioning system modifications or replacements;	1513 1514
(5) Caulking and weatherstripping;	1515
(6) Replacement or modification of lighting fixtures to increase the energy efficiency of the system without increasing the overall illumination of a facility, unless such an increase in illumination is necessary to conform to the applicable state or local building code for the proposed lighting system;	1516 1517 1518 1519 1520
(7) Energy recovery systems;	1521
(8) Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings;	1522 1523 1524
(9) Acquiring, constructing, furnishing, equipping, improving the site of, and otherwise improving a central utility plant to provide heating and cooling services to a building or buildings together with distribution piping and ancillary distribution controls, equipment, and related facilities from the central utility plant to the building or buildings;	1525 1526 1527 1528 1529 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 professional engineer that the energy conservation report uses reasonable methods of analysis and estimation.

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

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

(b) Notwithstanding sections 307.86 to 307.92 of the Revised Code, request proposals from at least three vendors for the implementation of energy conservation measures. A request for proposals shall require the installer that is awarded a contract under division (C) (2) (b) of this section to prepare an energy conservation report in accordance with division (B) of this section. Prior to sending any installer of energy conservation measures a copy of any request for proposals, the county shall advertise its intent to request proposals for the installation of energy conservation measures ~~in a newspaper of general circulation in the county~~ once a week for two consecutive weeks ~~or as provided in section 7.16 of the Revised Code,~~ using at least one of the following methods:

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

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

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

The notice shall state that the county intends to request

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 posted continually in a conspicuous place in the offices of the county auditor and the board of county commissioners. If the county maintains a web site on the internet, the notice shall be posted continually at that web site.~~ 1798
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~~The board or its representative shall maintain a list of all nonprofit organizations that notify the board or its representative of their desire to obtain donated property under this division and that the board or its representative determines to be eligible, in accordance with the requirements set forth in this section and in the donation program's guidelines and procedures, to receive donated property.~~ 1803
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~~The board or its representatives also shall maintain a list of all county personal property the board finds to be unneeded, obsolete, or unfit for use and to be available for donation under this division. The list shall be posted continually in a conspicuous location in the offices of the county auditor and the board of county commissioners, and, if the county maintains a web site on the internet, the list shall be posted continually at that web site. An item of property on the list shall be donated to the eligible nonprofit organization that first declares to the board or its representative its desire to obtain the item unless the board previously has established, by resolution, a list of eligible nonprofit organizations that shall be given priority with respect to the item's donation. Priority may be given on the basis that the purposes of a nonprofit organization have a direct relationship to specific public purposes of programs provided or administered by the board. A resolution giving priority to certain nonprofit organizations with respect to the donation of an item of property shall specify the reasons why the organizations are~~ 1810
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~~given that priority.~~

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

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(D) Notwithstanding anything to the contrary in division
(A), (B), or (E) of this section and regardless of the
property's value, the board of county commissioners may sell or
donate county personal property, including motor vehicles, to
the federal government, the state, any political subdivision of
the state, or a county land reutilization corporation without
advertisement or public notification.

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(E) Notwithstanding anything to the contrary in division
(A), (B), or (G) of this section and regardless of the
property's value, the board of county commissioners may sell
personal property, including motor vehicles acquired for the use
of county officers and departments, and road machinery,
equipment, tools, or supplies, that is not needed for public
use, is obsolete, or is unfit for the use for which it was
acquired, by internet auction. The board shall adopt a
resolution expressing its intent to sell property by internet
auction. The resolution shall include a description of how the
internet auctions will be conducted and shall specify the number
of days for bidding on the property, which shall be no less than
ten days, including Saturdays, Sundays, and legal holidays. The
resolution shall indicate whether the county will conduct the

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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 2023
meeting, sent by regular mail to the applicant. The written 2024
notice shall be mailed at least seven days before the scheduled 2025
meeting date. 2026

(iii) Completion of the review by the board of county 2027
commissioners not later than thirty days after the application 2028
for a building permit is filed or a review is requested unless 2029
the applicant has agreed in writing to extend that time period 2030
or postpone the meeting to a later time, in which case the 2031
review shall be completed not later than two days after the date 2032
of the meeting. A complete review shall include the issuance of 2033
any order of the board of county commissioners regarding 2034
necessary reasonable drainage mitigation and necessary 2035
reasonable alterations to the proposed new construction to 2036
prevent or correct any adverse effects on existing surface or 2037
subsurface drainage so long as those alterations comply with the 2038
state residential and nonresidential building codes adopted 2039

pursuant to section 3781.10 of the Revised Code. If the review 2040
is not completed within the thirty-day period or an extended or 2041
postponed period that the applicant has agreed to, the proposed 2042
new construction shall be deemed to have no adverse effects on 2043
existing surface or subsurface drainage, and those effects shall 2044
not be a valid basis for the denial of a building permit. 2045

(iv) A written statement, provided to the applicant at the 2046
meeting or in an order for alterations to a proposed new 2047
construction, informing the applicant of the right to seek 2048
appellate review of the denial of a building permit under 2049
division (B) (3) (b) (iii) of this section by filing a petition in 2050
accordance with Chapter 2506. of the Revised Code. 2051

(c) The regulations may authorize the board, after 2052
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

<u>(A) In the print or digital edition of a newspaper of</u>	2128
<u>general circulation within the county;</u>	2129
<u>(B) On the official public notice web site established</u>	2130
<u>under section 125.182 of the Revised Code;</u>	2131
<u>(C) On the web site and social media account of the</u>	2132
<u>county.</u>	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
<u>(B)</u> 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, <u>using at least one of the</u>	2156
<u>following methods:</u>	2157

<u>(1) In the print or digital edition of a newspaper of</u>	2158
<u>general circulation within the county;</u>	2159
<u>(2) On the official public notice web site established</u>	2160
<u>under section 125.182 of the Revised Code;</u>	2161
<u>(3) On the web site and social media account of the</u>	2162
<u>county. The</u>	2163
<u>(C) The board shall permit members of the public to</u>	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
<u>(D) At least ten days prior to before the submission of a</u>	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
<u>using at least one of the following methods:</u>	2180
<u>(1) In the print or digital edition of a newspaper of</u>	2181
general circulation in the county;	2182
<u>(2) On the official public notice web site established</u>	2183
<u>under section 125.182 of the Revised Code;</u>	2184
<u>(3) On the web site and social media account of the</u>	2185
<u>county.</u>	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	2197
population of one million or more according to the most recent	2198
federal decennial census may, by resolution adopted on or before	2199
August 30, 2004, by a majority of the members of the legislative	2200
authority and with the subsequent approval of a majority of the	2201
electors of the county voting upon it, levy a tax of not more	2202
than two per cent on every retail sale in the county of food and	2203
beverages to be consumed on the premises where sold to pay the	2204
expenses of administering the tax and to provide revenues for	2205
the county general fund. Such resolution shall direct the board	2206
of elections to submit the question of levying the tax to the	2207
electors of the county at the next primary or general election	2208
in the county occurring not less than ninety days after the	2209
resolution is certified to the board of elections, and such	2210
resolution may further direct the board of elections to include	2211
upon the ballot submitted to the electors any specific purposes	2212
for which the tax will be used. The legislative authority shall	2213
establish all regulations necessary to provide for the	2214
administration and allocation of the tax. The regulations may	2215
prescribe the time for payment of the tax and may provide for	2216

imposition of a penalty, interest, or both for late payments, 2217
provided that any such penalty may not exceed ten per cent of 2218
the amount of tax due and the rate at which interest accrues may 2219
not exceed the rate per annum required under section 5703.47 of 2220
the Revised Code. 2221

(C) A tax levied under this section shall remain in effect 2222
for the period of time specified in the resolution or ordinance 2223
levying the tax, but in no case for a longer period than forty 2224
years. 2225

(D) A tax levied under this section is in addition to any 2226
other tax levied under Chapter 307., 4301., 4305., 5739., 5741., 2227
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 2467
attorney seeks an injunction or other appropriate relief, then, 2468
in granting relief, the court of common pleas may order the 2469
construction of sediment control improvements or implementation 2470
of other control measures and may assess a civil fine of not 2471
less than one hundred or more than five hundred dollars. Each 2472
day of violation of a rule or stop work order issued under this 2473
section shall be considered a separate violation subject to a 2474
civil fine. 2475

(2) The person to whom a stop work order is issued under 2476
this section may appeal the order to the court of common pleas 2477
of the county in which it was issued, seeking any equitable or 2478
other appropriate relief from that order. 2479

(3) No stop work order shall be issued under this section 2480
against any public highway, transportation, or drainage 2481
improvement or maintenance project undertaken by a government 2482
agency or political subdivision in accordance with a statement 2483
of its standard sediment control policies that is approved by 2484
the board or the chief of the division of soil and water 2485

resources in the department of natural resources. 2486

(F) No person shall violate any rule adopted or order 2487
issued under this section. Notwithstanding division (E) of this 2488
section, if the board of county commissioners determines that a 2489
violation of any rule adopted or administrative order issued 2490
under this section exists, the board may request, in writing, 2491
the prosecuting attorney of the county to seek an injunction or 2492
other appropriate relief in the court of common pleas to abate 2493
excessive erosion or sedimentation and secure compliance with 2494
the rules or order. In granting relief, the court of common 2495
pleas may order the construction of sediment control 2496
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

<u>section 305.14 or 309.09 of the Revised Code, to serve as legal</u>	2778
<u>counsel for the county;</u>	2779
<u>(7) A provision that is inconsistent with the county's</u>	2780
<u>obligations under section 149.43 of the Revised Code;</u>	2781
<u>(8) A provision that limits the county's ability to</u>	2782
<u>recover the cost for a replacement contractor.</u>	2783
<u>(C) If a contract contains a term or condition described</u>	2784
<u>in division (B) of this section, the term or condition is void</u>	2785
<u>ab initio, and the contract containing that term or condition</u>	2786
<u>otherwise is enforceable as if it did not contain such term or</u>	2787
<u>condition.</u>	2788
<u>(D) A contract that contains a term or condition described</u>	2789
<u>in division (B) of this section shall be governed by and</u>	2790
<u>construed in accordance with Ohio law notwithstanding any term</u>	2791
<u>or condition to the contrary in the contract.</u>	2792
<u>(E) This section does not apply to a contract in effect</u>	2793
<u>before the effective date of this section or to the renewal or</u>	2794
<u>extension of a contract in effect before the effective date of</u>	2795
<u>this section.</u>	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
duty" does not include a duty funded by the United States
department of labor.

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

(B) To the extent permitted by federal law, including,
when applicable, subpart F of 5 C.F.R. part 900, and subject to
any limitations established by the Revised Code, including
division (H) of this section, a board of county commissioners
may designate any private or government entity within this state
to serve as any of the following:

(1) A child support enforcement agency;

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

(3) A public children services agency;

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

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

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

(D) If a designation under division (B) or (C) of this
section constitutes a change from the designation in a grant
agreement between the director of job and family services, or
the director of children and youth, and the board under sections

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 Code, or if a resolution of that nature has been adopted under section 503.53 of the Revised Code in a township in the county served by the prosecuting attorney, all of the following apply:

(i) 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)(c) of section 503.52 of the Revised Code, the prosecuting attorney shall prosecute and defend on behalf of the township in the trial and argument in any court or tribunal of any challenge to the validity of the resolution. If the challenge to the validity of 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 2952
has adopted, or in which has been adopted, a resolution of that 2953
nature that is made pursuant to division (E) (1) (b) of section 2954
503.52 of the Revised Code, the prosecuting attorney shall 2955
prosecute and defend on behalf of the township a civil action 2956
under Chapter 3767. of the Revised Code to abate as a nuisance 2957
the place in the unincorporated area of the township at which 2958
the resolution is being or has been violated. Proceeds from the 2959
sale of personal property or contents seized pursuant to the 2960
action shall be applied and deposited in accordance with 2961
division (E) (1) (b) of section 503.52 of the Revised Code. 2962

(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 attorney's discretion and with the approval of the board of county commissioners, the legal adviser to a regional planning commission created under section 713.21 of the Revised Code under a contract that the prosecuting attorney and commission enter into. If the regional planning commission covers a region in more than one county, the commission may choose the prosecuting attorney with whom it enters into such contract, with the approval of the board of county commissioners of that county. The contract may provide for the payment of a fee to the prosecuting attorney for legal services agreed to under the contract.

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

(L) The prosecuting attorney may be, in the prosecuting attorney's discretion and with the approval of the board of county commissioners, the legal adviser to a metropolitan planning organization, or to a regional transportation planning organization that has been designated by the governor under 23 U.S.C. 135, under a contract that the prosecuting attorney and organization enter into. If the organization covers a region in more than one county, the organization may choose the

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 coroner, a deputy coroner, or a representative of the coroner or a deputy coroner under section 313.091 of the Revised Code;	3193 3194 3195
(e) Records of a deceased individual that are confidential law enforcement investigatory records as defined in section 149.43 of the Revised Code;	3196 3197 3198
(f) Laboratory reports generated from the analysis of physical evidence by the coroner's laboratory that is discoverable under Criminal Rule 16.	3199 3200 3201
(3) In the coroner's discretion, photographs of a decedent may be used for medical, legal, or educational purposes.	3202 3203
(B) All records in the coroner's office that are public records are open to inspection by the public, and any person may receive a copy of any such record or part of it upon demand in writing, accompanied by payment of a record retrieval and copying fee, at the rate of twenty-five cents per page or a minimum fee of one dollar.	3204 3205 3206 3207 3208 3209
(C) (1) The coroner shall provide a copy of the full and complete records of the coroner with respect to a decedent to a person who makes a written request as the next of kin of the decedent. The following persons may make a request pursuant to this division as the next of kin of a decedent:	3210 3211 3212 3213 3214
(a) The surviving spouse of the decedent;	3215
(b) If there is no surviving spouse, or if the surviving spouse has died without having made a request pursuant to this division, any child of the decedent over eighteen years of age, with each child over eighteen years of age having an independent right to make a request pursuant to this division;	3216 3217 3218 3219 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)(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. 3523

(C) If the board of county commissioners decides to have 3524
sectional indexes made, it shall advertise for three consecutive 3525
weeks ~~in one newspaper of general circulation in the county or~~ 3526
~~as provided in section 7.16 of the Revised Code~~ for sealed 3527
proposals to do the work provided for in this section, using at 3528
least one of the following methods: 3529

(1) In the print or digital edition of a newspaper of 3530
general circulation within the county; 3531

(2) On the official public notice web site established 3532
under section 125.182 of the Revised Code; 3533

(3) On the web site and social media account of the 3534
county. 3535

The board shall contract with the lowest and best bidder, 3536
and shall require the successful bidder to give a bond for the 3537
faithful performance of the contract in the sum that the board 3538
fixes. The work shall be done to the acceptance of the auditor 3539
of state upon allowance by the board. The board may reject any 3540
and all bids for the work, provided that no more than five cents 3541
shall be paid for each entry of each tract or lot of land. 3542

(D) When the sectional indexes are brought up and 3543
completed, the county recorder shall maintain the indexes and 3544
comply with division (E) of this section in connection with 3545
registered land. 3546

(E) (1) As used in division (E) of this section, "housing 3547
accommodations" and "restrictive covenant" have the same 3548
meanings as in section 4112.01 of the Revised Code. 3549

(2) In connection with any transfer of registered land 3550
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~~ 3669
~~circulation in the district~~ once a week for two consecutive 3670
weeks ~~prior to before~~ the election ~~or as provided in section~~ 3671
~~7.16 of the Revised Code~~ using at least one of the following 3672
methods: 3673

(A) In the print or digital edition of a newspaper of 3674
general circulation within the county; 3675

(B) On the official public notice web site established 3676
under section 125.182 of the Revised Code; 3677

(C) On the web site and social media account of the 3678
county. ~~If~~ 3679

If the board of elections operates and maintains a web 3680
site, notice of the election also shall be posted on that web 3681
site for thirty days prior to the election. The notice shall 3682
state the purpose, time, and place of the election. The form of 3683
the ballot cast at such election shall be prescribed by the 3684
secretary of state. The question covered by such petition shall 3685
be submitted as a separate proposition, but it may be printed on 3686
the same ballot with any other proposition submitted at the same 3687
election other than the election of officers. If a majority of 3688
the qualified electors voting on the question of repeal approve 3689
the repeal, the result of the election shall be certified 3690

immediately after the canvass by the board of elections to the 3691
board of county commissioners, who shall thereupon, after the 3692
current year, cease to levy the tax. 3693

Sec. 323.08. (A) After certifying the tax list and 3694
duplicate pursuant to section 319.28 of the Revised Code, the 3695
county auditor shall deliver a list of the tax rates, tax 3696
reduction factors, and effective tax rates assessed and applied 3697
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. 3784

(D) If a member, a member's spouse, or a member's parent 3785
qualifies for the extension provided in this section, and that 3786
member, spouse, or parent has designated an agent for the 3787
payment of taxes and assessments the payment of which is so 3788
extended, that agent shall not require the member, spouse, or 3789
parent to pay to the agent any such taxes and assessments for 3790
the period for which payment is extended under division (C) of 3791
this section. If such taxes or assessments are paid by the 3792
member, spouse, or parent to an agent as part of a mortgage loan 3793
installment payment, the agent shall deduct the portion of the 3794
payment that represents such taxes and assessments from the 3795
amount of each such payment payable during the period of 3796
extension prescribed by division (C) of this section. 3797

(E) If the member, the member's spouse, or the member's 3798
parent has entered into a contract pursuant to this section 3799
before the first day of the seventh month after the month in 3800
which the member's duty terminates, the county auditor and 3801
treasurer shall remove from the tax list and duplicate, 3802
respectively, any penalties and interest that were charged under 3803
section 323.121 or 4503.06 of the Revised Code during the 3804
member's duty and before the first day of the seventh month 3805
after the month in which the member's duty terminates. 3806

(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:

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

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

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

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

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

Sec. 323.73. (A) Except as provided in division (G) of

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 pathologist certified by the American board of pathology and is performing the forensic examinations of the county. 4081
4082
4083

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

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

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

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

Sec. 331.06. (A) Each year the county facilities review board shall prepare a full report of its proceedings during the year, with such recommendations as it considers advisable, file such report with the probate judge and the prosecuting attorney between the fifteenth day of November and the fifteenth day of December, forward a copy thereof to the central office of the department of job and family services, and send a copy of that part of the report concerning correctional institutions to the department of rehabilitation and correction. 4095
4096
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(B) The probate judge may, in that judge's discretion, order the publication of a summary of the annual report ~~in using~~ at least one of the following methods: 4104
4105
4106

(1) In the print or digital edition of a newspaper of general circulation within the county; 4107
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. 4146

All money held in trust by the board shall be kept in a 4147
separate fund to be known as "the hospital trust fund." The 4148
board of county hospital trustees shall make a complete report 4149
of its administration of all property and funds held in trust to 4150
the board of county commissioners with its annual report of 4151
operation of the hospital. 4152

Sec. 345.03. A copy of any resolution adopted under 4153
section 345.01 of the Revised Code shall be certified within 4154
five days by the taxing authority and not later than four p.m. 4155
of the ninetieth day before the day of the election, to the 4156
county board of elections, and such board shall submit the 4157
proposal to the electors of the subdivision at the succeeding 4158
general election. The board shall make the necessary 4159
arrangements for the submission of such question to the electors 4160
of the subdivision, and the election shall be conducted, 4161
canvassed, and certified in like manner as regular elections in 4162
such subdivision. 4163

Notice of the election shall be published once ~~in a~~ 4164
~~newspaper of general circulation in the subdivision,~~ not less 4165
than two weeks prior to such election using at least one of the 4166
following methods: 4167

(A) In the print or digital edition of a newspaper of 4168
general circulation within the county; 4169

(B) On the official public notice web site established 4170
under section 125.182 of the Revised Code; 4171

(C) On the web site and social media account of the 4172
county. ~~The~~ 4173

The notice shall set out the purpose of the proposed 4174
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 nurse-midwife, or certified nurse practitioner to obtain a consultation with a collaborating physician or podiatrist or another physician or podiatrist;

(3) A plan for coverage in instances of emergency or planned absences of either the clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner or a collaborating physician or podiatrist that provides the means whereby a physician or podiatrist is available for emergency care;

(4) The process for resolution of disagreements regarding matters of patient management between the clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner and a collaborating physician or podiatrist;

(5) An agreement that the collaborating physician shall complete and sign the medical certificate of death pursuant to section 3705.16 of the Revised Code;

(6) Any other criteria required by rule of the board adopted pursuant to section 4723.07 or 4723.50 of the Revised Code.

(C) A standard care arrangement entered into pursuant to this section may permit a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner to do any of the following:

(1) Supervise services provided by a home health agency as defined in section 3740.01 of the Revised Code;

(2) Admit a patient to a hospital in accordance with section 3727.06 of the Revised Code;

(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 care facility, the agreement shall include terms that require the physician assistant to practice in accordance with the policies of the health care facility.

(2) If a physician assistant will practice outside a health care facility, the agreement shall include terms that specify all of the following:

(a) The responsibilities to be fulfilled by the physician in supervising the physician assistant;

(b) The responsibilities to be fulfilled by the physician assistant when performing services under the physician's supervision;

(c) Any limitations on the responsibilities to be fulfilled by the physician assistant;

(d) The circumstances under which the physician assistant is required to refer a patient to the supervising physician;

(e) An agreement that the supervising physician shall complete and sign the medical certificate of death pursuant to section 3705.16 of the Revised Code;

(f) If the supervising physician chooses to designate physicians to act as alternate supervising physicians, the names, business addresses, and business telephone numbers of the physicians who have agreed to act in that capacity.

(C) A supervision agreement may be amended to modify the responsibilities of one or more physician assistants or to include one or more additional physician assistants.

(D) The supervising physician who entered into a supervision agreement shall retain a copy of the agreement in

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 principal office with the secretary-treasurer; 4569
4570

(4) Purchase, fund, finance, construct, maintain, repair, sell, exchange, police, operate, or lease projects; 4571
4572

(5) Issue either or both of the following for the purpose of providing funds to pay the costs of any project or part thereof: 4573
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4575

(a) Transportation improvement district revenue bonds; 4576

(b) Bonds pursuant to Section 13 of Article VIII, Ohio Constitution. 4577
4578

(6) Maintain such funds as it considers necessary; 4579

(7) Direct its agents or employees, when properly identified in writing and after at least five days' written notice, to enter upon lands within its jurisdiction to make surveys and examinations preliminary to the location and construction of projects for the district, without liability of the district or its agents or employees except for actual damage done; 4580
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(8) Make and enter into all contracts and agreements necessary or incidental to the performance of its functions and the execution of its powers under this chapter; 4587
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4589

(9) Employ or retain or contract for the services of consulting engineers, superintendents, managers, and such other engineers, construction and accounting experts, auditors, financial advisers, trustees, marketing, remarketing, and administrative agents, attorneys, and other employees, independent contractors, or agents as are necessary in its judgment and fix their compensation, provided all such expenses 4590
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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
County Recorder. 4744
4745

The Department of Administrative Services is authorized to
take any other actions that may be necessary to release the
possibility of reverter or release the easement. 4746
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4748

(D) This section expires three years after its effective
date. 4749
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Section 4. (A) The Governor may execute a Governor's Deed
in the name of the State conveying to Knox County Park District
("Grantee"), and its successors and assigns, to be determined in
the manner provided in division (C) of this section all of the
State's right, title, and interest in the following described
real estate: 4751
4752
4753
4754
4755
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Situated in the Northeast and Southeast Quarters of
Section 16 and the Northwest and Southwest Quarters of Section
17, Quarter 3, Township 7 North, Range 12 West, Monroe Township,
U.S.M.L., Knox County, Ohio and being described as follows: 4757
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Commencing in the centerline of Vernonview Drive (State
Route 768) at the northwest corner of the Northeast Quarter of
Section 16 and being the northwest corner and beginning point of
the tract herein described; 4761
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Thence along the north line of the Northeast Quarter of
Section 16 and the south lines of a 1.0 acre tract (J. Williams,
D.V. 1350, Pg. 105) and a 111.2184 acre tract (Cumberland Gas
Marketing Co., D.V. 1143, Pg. 40) South 88 deg. 29' 56" East,
passing through a 5/8" iron pin set at 25.00 feet, a total of
2722.62 feet to a stone found at the northeast corner of the
Northeast Quarter of Section 16; 4765
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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 Konzen, D.V. 1534, Pg. 683), a 20.308 acre tract (Daniel Hamric, D.V. 1357, Pg. 695) and a 20.163 acre tract (Daniel Hamric, D. V. 1357, Pg. 699) South 1 deg.16' 03" West 1502.58 feet to a 5/8" iron pin found at the southwest corner of said 20.163 acres;

Thence along the south line of said 20.163 acres and the south line of 1.06 acres (N. & M. Muka, D.V. 1391, Pg. 680) South 88 deg. 32' 43" East, passing through a 1/2" iron pipe found at 2048.83 feet, a total of 2068.83 feet to the centerline of Upper Gilchrist Road (Township Road 254);

Thence along the centerline of said road the following 4 courses;

1- South 8 deg. 47' 26" East 511.37 feet to a Cotton Gin Spike set;

2- South 10 deg. 55' 55" East 96.76 feet to a Cotton Gin Spike Set;

3- South 31 deg. 27' 34" East 300.00 feet to a Cotton Gin Spike Set;

4- South 39 deg. 47' 34" East 555.95 feet to a 1/2" iron pipe found at the southeast corner of the Northwest Quarter of Section 17.

Thence along the south line of the Northwest Quarter of Section 17 and the north line of the Southwest Quarter of Section 17 and the north line of a 12.62 acre tract (Time Warner Cable Midwest, LLC, D.V. 1366, Pg. 441) North 88 deg.17' 32" West 1127.11 feet to a 5/8" iron pin found at the northwest corner of said 12.62 acres;

Thence along the west line of said tract South 2 deg. 31' 50" West 579.04 feet to a 5/8" iron pin found at the southwest corner of said 12.62 acres and a northwest corner of a 56.715 acre tract (Benchmark Bank, D.V. 1623, Pg. 677);

Thence along a west line of said 56.715 acres South 1 deg. 29' 05" West 608.58 feet to a stone found;

Thence along a north line of said 56.715 acres North 88 deg. 21' 12" West 1566.71 feet to the northwest corner of said tract and the northeast corner of a 44.974 acre tract (Michael and Karen Kepple, D.V. 1162, Pg. 359);

Thence along the north line of said 44.974 acres North 88 deg.15'21" West 461.56 feet to a 1" iron pipe found at the southeast corner of a 44.210 acre tract (AAA Storage of Mount Vernon, D.V. 1257, Pg. 151);

Thence along the east line of said 44.974 acres North 1 deg. 16' 56" West 731.22 feet to a 5/8" iron pin set;

Thence through grantors parcels the following 7 courses;

1- South 76 deg. 23' 03" East 816.72 feet to a 5/8" iron pin set;

2- South 64 deg. 29' 15" East 403.01 feet to a 5/8" iron pin set;

3- North 40 deg. 04' 35" East 391.95 feet to a 5/8" iron pin set;

4- North 23 deg. 48' 39" West 1252.14 feet to a 5/8" iron pin set;

5- North 82 deg. 45' 44" West 1268.44 feet to a 5/8" iron pin set;

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
date.

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