

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 666**

**Representative Williams**

**Cosponsors: Representatives Seitz, Hillyer, Dean, Wiggam, Demetriou, Fischer,  
Click, Pavliga**

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**A BILL**

To amend sections 9.63, 4501.06, 5747.50, 5747.502, 1  
5747.51, and 5747.53 and to enact sections 2  
9.631, 9.632, 9.633, and 5747.504 of the Revised 3  
Code to require state and local authorities to 4  
cooperate with the federal government in the 5  
enforcement of immigration laws, to prescribe 6  
funding reductions for noncompliance, to name 7  
this act the Protecting Ohio Communities Act, 8  
and to declare an emergency. 9

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

**Section 1.** That sections 9.63, 4501.06, 5747.50, 5747.502, 10  
5747.51, and 5747.53 be amended and sections 9.631, 9.632, 11  
9.633, and 5747.504 of the Revised Code be enacted to read as 12  
follows: 13

**Sec. 9.63.** (A) Notwithstanding any law, ordinance, or 14  
collective bargaining contract to the contrary, no state or 15  
local employee shall unreasonably fail to comply with any lawful 16  
request for assistance made by any federal authorities carrying 17  
out the provisions of the USA Patriot Act, any federal 18

~~immigration or~~ terrorism investigation, or any executive order 19  
of the president of the United States pertaining to homeland 20  
security, to the extent that the request is consistent with the 21  
doctrine of federalism. 22

(B) No municipal corporation shall enact an ordinance, 23  
policy, directive, rule, or resolution that would materially 24  
hinder or prevent local employees from complying with the USA 25  
Patriot Act or any executive order of the president of the 26  
United States pertaining to homeland security or from 27  
cooperating with state or federal ~~immigration services and~~ 28  
terrorism investigations. 29

(C) (1) Any municipal corporation that enacts any 30  
ordinance, policy, directive, rule, or resolution that division 31  
(B) of this section prohibits is ineligible to receive any 32  
homeland security funding available from the state. 33

(2) Whenever the director of public safety determines that 34  
a municipal corporation has enacted any ordinance, policy, 35  
directive, rule, or resolution that division (B) of this section 36  
prohibits, the director shall certify that the municipal 37  
corporation is ineligible to receive any homeland security 38  
funding from the state and shall notify the general assembly of 39  
that ineligibility. That municipal corporation shall remain 40  
ineligible to receive any homeland security funding from the 41  
state until the director certifies that the ordinance, policy, 42  
directive, rule, or resolution has been repealed. 43

(D) (1) If a state or local employee states disagreement 44  
with, or a critical opinion of, the USA Patriot Act, any federal 45  
~~immigration or~~ terrorism policy, or any executive order of the 46  
president of the United States pertaining to homeland security, 47  
the statement of disagreement with or critical opinion of the 48

act or order is not sufficient to qualify for purposes of this 49  
section as unreasonable noncompliance with a request for 50  
assistance of the type division (A) of this section describes. 51

(2) Any municipal corporation's ordinance, policy, 52  
directive, rule, or resolution that states disagreement with, or 53  
a critical opinion of, any state or federal ~~immigration or~~ 54  
terrorism policy, the USA Patriot Act, or any executive order of 55  
the president of the United States pertaining to homeland 56  
security is not sufficient to qualify as a "material hindrance 57  
or prevention" of local employees from cooperating with federal 58  
~~immigration services and~~ terrorism investigations or from 59  
complying with the USA Patriot Act or any executive order of the 60  
president of the United States pertaining to homeland security 61  
for purposes of divisions (B), (C), and (D) of this section. 62

(E) As used in this section, "USA Patriot Act" means the 63  
"Uniting and Strengthening America by Providing Appropriate 64  
Tools Required to Intercept and Obstruct Terrorism (USA Patriot 65  
Act) Act of 2001," Pub. L. No. 107-056, 115 Stat. 272, as 66  
amended. 67

Sec. 9.631. (A) As used in this section and sections 9.632 68  
and 9.633 of the Revised Code: 69

(1) "Law enforcement agency" means a municipal or township 70  
police department, the office of a sheriff, the state highway 71  
patrol, or any other state or local governmental body that 72  
enforces criminal laws and that has employees who have a 73  
statutory power of arrest. 74

(2) "Political subdivision" means a county, township, 75  
municipal corporation, or any other body corporate and politic 76  
that is responsible for government activities in a geographic 77

area smaller than that of the state. 78

(3) "State or local governmental entity" means any agency, 79  
board, bureau, commission, council, department, division, 80  
office, or other organized body established by the state or a 81  
political subdivision for the exercise of any function of the 82  
state or a political subdivision. 83

(4) "State or local public benefit" has the same meaning 84  
as in division (c) of section 411 of the "Personal 85  
Responsibility and Work Opportunity Reconciliation Act of 1996," 86  
8 U.S.C. 1621(c), as amended. 87

(B) A law enforcement agency shall do all of the 88  
following: 89

(1) Participate in any available program operated by the 90  
United States department of homeland security or its successor 91  
department that allows the law enforcement agency to submit to 92  
federal authorities information about an arrestee in order to 93  
enable those authorities to determine whether the arrestee is 94  
unlawfully present in the United States; 95

(2) Immediately report the identity of any arrestee whom a 96  
peace officer has reasonable cause to believe is unlawfully 97  
present in the United States to the appropriate office of the 98  
United States immigration and customs enforcement agency or its 99  
successor agency; 100

(3) Detain a person who is unlawfully present in the 101  
United States, upon receiving a lawful federal request or order 102  
to do so, until the person is transferred into federal custody; 103

(4) Otherwise cooperate and comply with federal officials 104  
in the enforcement of federal immigration law. 105

(C) (1) Each state or local governmental entity 106  
administering a state or local public benefit shall comply with 107  
section 411 of the "Personal Responsibility and Work Opportunity 108  
Reconciliation Act of 1996," 8 U.S.C. 1621, as amended. 109

(2) Except as otherwise provided in division (C) (3) of 110  
this section, whenever a person who is not a United States 111  
citizen or national applies to a state or local governmental 112  
entity for a state or local public benefit, the state or local 113  
governmental entity shall verify whether the person is 114  
ineligible for the benefit under section 411 of the "Personal 115  
Responsibility and Work Opportunity Reconciliation Act of 1996," 116  
8 U.S.C. 1621, as amended, using the systematic alien 117  
verification for entitlements (SAVE) program, or its successor 118  
program, operated by the United States department of homeland 119  
security or its successor agency. 120

(3) Division (C) (2) of this section does not apply when a 121  
person applies for a state or local public benefit described in 122  
division (b) of section 411 of the "Personal Responsibility and 123  
Work Opportunity Reconciliation Act of 1996," 8 U.S.C. 1621, as 124  
amended, or for a state or local public benefit for which the 125  
Revised Code affirmatively provides eligibility for persons 126  
described in division (a) of that section. 127

(D) No state or local government agency or political 128  
subdivision shall adopt an ordinance, policy, directive, rule, 129  
or resolution that prohibits or otherwise restricts a public 130  
official or employee from doing any of the following: 131

(1) Complying with the requirements of division (B) or (C) 132  
of this section; 133

(2) Inquiring about a person's name, birthdate, place of 134

birth, or citizenship or immigration status in the course of 135  
investigating or prosecuting a violation of any law or 136  
ordinance; 137

(3) Maintaining information about a person's citizenship 138  
or immigration status; 139

(4) Sending information to, or requesting or receiving 140  
information from, a federal, state, or local government agency 141  
or employee concerning a person's citizenship or immigration 142  
status or for the purpose of determining a person's citizenship 143  
or immigration status; 144

(5) Complying with any request by a federal agency engaged 145  
in the enforcement of federal immigration law for information, 146  
access, or assistance, regardless of whether the federal agency 147  
has obtained a warrant to compel the state or local government 148  
agency or political subdivision to comply with the request, 149  
unless federal law prohibits the state or local government 150  
agency or political subdivision from complying with the request. 151

**Sec. 9.632.** (A) Each law enforcement agency and each state 152  
or local governmental entity that administers a state or local 153  
public benefit shall notify its officers and employees of the 154  
requirements of sections 9.63 and 9.631 of the Revised Code. 155

(B) (1) A member of the general assembly who believes that 156  
a county, township, or municipal corporation or the law 157  
enforcement agency that serves the county, township, or 158  
municipal corporation is not complying with the requirements of 159  
section 9.631 of the Revised Code may file a complaint with the 160  
attorney general. Upon receiving the complaint, the attorney 161  
general shall investigate whether the county, township, 162  
municipal corporation, or law enforcement agency is complying 163

with the requirements of that section and shall submit a report 164  
of the attorney general's findings to the treasurer of state and 165  
to the tax commissioner. 166

(2) If the attorney general determines that a county, 167  
township, municipal corporation, or law enforcement agency 168  
originally reported as failing to comply with the requirements 169  
of section 9.631 of the Revised Code is in compliance with those 170  
requirements, the attorney general promptly shall issue an 171  
addendum to the attorney general's original report concerning 172  
that county, township, municipal corporation, or law enforcement 173  
agency to the persons who received the original report. 174

(C) If the attorney general determines that a county, 175  
township, or municipal corporation or the law enforcement agency 176  
that serves the county, township, or municipal corporation is 177  
not in compliance with the requirements of section 9.631 of the 178  
Revised Code, then the county, township, or municipal 179  
corporation is ineligible to receive homeland security funding 180  
and required to receive reduced local government fund 181  
distributions from the state under section 5747.504 of the 182  
Revised Code until the attorney general certifies in an addendum 183  
issued under division (B) (2) of this section that the county, 184  
township, municipal corporation, or law enforcement agency is in 185  
compliance with the requirements of that section. 186

**Sec. 9.633.** A county, township, or municipal corporation 187  
shall submit a report annually to the attorney general 188  
confirming the county, township, or municipal corporation is in 189  
compliance with sections 9.63, 9.631, and 9.632 of the Revised 190  
Code. 191

**Sec. 4501.06.** The taxes, fees, and fines levied, charged, 192  
or referred to in Chapters 4501., 4503., 4504., 4505., 4506., 193

4507., 4509., 4510., 4511., 4517., 4519., and 4521., division 194  
(A) of section 4508.06, and sections 2935.27, 2937.221, 3123.59, 195  
4508.05, 4513.53, 4738.06, 4738.13, ~~and 5502.12,~~ and 5747.504 of 196  
the Revised Code, unless otherwise designated by law, shall be 197  
deposited in the state treasury to the credit of the public 198  
safety - highway purposes fund, which is hereby created. Money 199  
credited to the fund shall be used for the purpose of enforcing 200  
and paying the expenses of administering the laws relative to 201  
the registration and operation of motor vehicles on the public 202  
roads or highways and to the powers and duties of the registrar 203  
of motor vehicles. Amounts credited to the fund may also be used 204  
to pay the expenses of administering and enforcing the laws 205  
under which such fees were collected. All investment earnings of 206  
the public safety - highway purposes fund shall be credited to 207  
the fund. 208

**Sec. 5747.50.** (A) As used in this section: 209

(1) "County's proportionate share of the calendar year 210  
2007 LGF and LGRAF distributions" means the percentage computed 211  
for the county under division (B) (1) (a) of section 5747.501 of 212  
the Revised Code. 213

(2) "County's proportionate share of the total amount of 214  
the local government fund additional revenue formula" means each 215  
county's proportionate share of the state's population as 216  
determined for and certified to the county for distributions to 217  
be made during the current calendar year under division (B) (2) 218  
(a) of section 5747.501 of the Revised Code. If prior to the 219  
first day of January of the current calendar year the federal 220  
government has issued a revision to the population figures 221  
reflected in the estimate produced pursuant to division (B) (2) 222  
(a) of section 5747.501 of the Revised Code, such revised 223



population figures shall be used for making the distributions	224
during the current calendar year.	225
(3) "2007 LGF and LGRAF county distribution base available	226
in that month" means the lesser of the amounts described in	227
division (A)(3)(a) and (b) of this section, provided that the	228
amount shall not be less than zero:	229
(a) The total amount available for distribution to	230
counties from the local government fund during the current	231
month.	232
(b) The total amount distributed to counties from the	233
local government fund and the local government revenue	234
assistance fund to counties in calendar year 2007 less the total	235
amount distributed to counties under division (B)(1) of this	236
section during previous months of the current calendar year.	237
(4) "Local government fund additional revenue distribution	238
base available during that month" means the total amount	239
available for distribution to counties during the month from the	240
local government fund, less any amounts to be distributed in	241
that month from the local government fund under division (B)(1)	242
of this section, provided that the local government fund	243
additional revenue distribution base available during that month	244
shall not be less than zero.	245
(5) "Total amount available for distribution to counties"	246
means the total amount available for distribution from the local	247
government fund during the current month less the total amount	248
available for distribution to municipal corporations during the	249
current month under division (C) of this section.	250
(B) On or before the tenth day of each month, the tax	251
commissioner shall provide for payment to each county an amount	252

equal to the sum of:	253
(1) The county's proportionate share of the calendar year	254
2007 LGF and LGRAF distributions multiplied by the 2007 LGF and	255
LGRAF county distribution base available in that month, provided	256
that if the 2007 LGF and LGRAF county distribution base	257
available in that month is zero, no payment shall be made under	258
division (B) (1) of this section for the month or the remainder	259
of the calendar year; and	260
(2) The county's proportionate share of the total amount	261
of the local government fund additional revenue formula	262
multiplied by the local government fund additional revenue	263
distribution base available during that month.	264
Money received into the treasury of a county under this	265
division shall be credited to the undivided local government	266
fund in the treasury of the county on or before the fifteenth	267
day of each month. On or before the twentieth day of each month,	268
the county auditor shall issue warrants against all of the	269
undivided local government fund in the county treasury in the	270
respective amounts allowed as provided in section 5747.51 of the	271
Revised Code, and the treasurer shall distribute and pay such	272
sums to the subdivision therein.	273
(C) (1) As used in division (C) of this section:	274
(a) "Total amount available for distribution to	275
municipalities during the current month" means the difference	276
obtained by subtracting one million dollars from the product	277
obtained by multiplying the total amount available for	278
distribution from the local government fund during the current	279
month by the aggregate municipal share.	280
(b) "Aggregate municipal share" means the quotient	281

obtained by dividing the total amount distributed directly from 282  
the local government fund to municipal corporations during 283  
calendar year 2007 by the total distributions from the local 284  
government fund and local government revenue assistance fund 285  
during calendar year 2007. 286

(c) A municipal corporation's "distribution share" equals 287  
one of the following: 288

(i) For municipal corporations with a population of more 289  
than fifty thousand, fifty thousand; 290

(ii) For municipal corporations with a population of less 291  
than one thousand, zero; 292

(iii) For all other municipal corporations, the municipal 293  
corporation's population. 294

(d) A municipal corporation's "distribution percentage" 295  
equals the percentage that a municipal corporation's 296  
distribution share is of the total of all municipal 297  
corporations' distribution shares. 298

(2) On or before the tenth day of each month, the tax 299  
commissioner shall provide for payment from the local government 300  
fund to each municipal corporation an amount equal to the 301  
product derived by multiplying the municipal corporation's 302  
distribution percentage by the total amount available for 303  
distribution to municipal corporations during the current month. 304

(3) Payments received by a municipal corporation under 305  
this division shall be paid into its general fund and may be 306  
used for any lawful purpose. 307

(4) The amount distributed to municipal corporations under 308  
this division during any calendar year shall not exceed the 309

amount distributed directly from the local government fund to 310  
municipal corporations during calendar year 2007. If that 311  
maximum amount is reached during any month, distributions to 312  
municipal corporations in that month shall be as provided in 313  
divisions (C) (1) and (2) of this section, but no further 314  
distributions shall be made to municipal corporations under 315  
division (C) of this section during the remainder of the 316  
calendar year. 317

(5) Upon being informed of a municipal corporation's 318  
dissolution, the tax commissioner shall cease providing for 319  
payments to that municipal corporation under division (C) of 320  
this section. The proportionate shares of the total amount 321  
available for distribution to each of the remaining municipal 322  
corporations under this division shall be increased on a pro 323  
rata basis. 324

The tax commissioner shall reduce payments under division 325  
(C) of this section to municipal corporations for which reduced 326  
payments are required under section 5747.502 or 5747.504 of the 327  
Revised Code. 328

(D) Each municipal corporation which has in effect a tax 329  
imposed under Chapter 718. of the Revised Code shall, no later 330  
than the thirty-first day of August of each year, certify to the 331  
tax commissioner, on a form prescribed by the commissioner, the 332  
amount of income tax revenue collected and refunded by such 333  
municipal corporation pursuant to such chapter during the 334  
preceding calendar year, arranged, when possible, by the type of 335  
income from which the revenue was collected or the refund was 336  
issued. The municipal corporation shall also report the amount 337  
of income tax revenue collected and refunded on behalf of a 338  
joint economic development district or a joint economic 339

development zone that levies an income tax administered by the 340  
municipal corporation and the amount of such revenue distributed 341  
to contracting parties during the preceding calendar year. The 342  
tax commissioner may withhold payment of local government fund 343  
moneys pursuant to division (C) of this section from any 344  
municipal corporation for failure to comply with this reporting 345  
requirement. 346

(E) (1) For the purposes of division (E) of this section: 347

(a) "Eligible taxing district" means a township, township 348  
fire district, or joint fire district for which the total 349  
taxable value of eligible power plants for tax year 2017 is at 350  
least thirty per cent less than the total taxable value of 351  
eligible power plants for tax year 2016. 352

(b) "Eligible power plant" means a power plant that is 353  
subject to the requirements of 10 C.F.R. part 73. 354

(c) "Total taxable value of eligible power plants" of an 355  
eligible taxing district means the total taxable value of the 356  
taxable property of eligible power plants apportioned to the 357  
district as shown in a preliminary assessment or amended 358  
preliminary assessment and listed on the tax list of real and 359  
public utility property. 360

(d) "Taxable property" has the same meaning as in section 361  
5727.01 of the Revised Code. 362

(e) "Tax rate" of an eligible taxing district means one of 363  
the following: 364

(i) For townships, the sum of the rates of levies imposed 365  
under section 505.39, 505.51, or division (I), (J), (U), or (JJ) 366  
of section 5705.19 of the Revised Code and extended on the tax 367  
list of real and public utility property for tax year 2017, 368

excluding any levy imposed at whatever rate is required to raise 369  
a fixed sum of money; 370

(ii) For township fire districts and joint fire districts, 371  
the sum of the rates of levies extended on the tax list of real 372  
and public utility property for tax year 2017, excluding any 373  
levy imposed at whatever rate is required to raise a fixed sum 374  
of money. 375

(2) Each fiscal year from fiscal year 2018 through fiscal 376  
year 2028, the tax commissioner shall compute the following 377  
amount for each eligible taxing district: 378

(a) For fiscal years 2018 and 2019, the amount obtained by 379  
multiplying the eligible taxing district's tax rate by the 380  
difference obtained by subtracting (i) the total taxable value 381  
of eligible power plants of the district for tax year 2017 from 382  
(ii) the total taxable value of eligible power plants of the 383  
district for tax year 2016; 384

(b) For fiscal years 2020 through 2028, ninety per cent of 385  
the amount calculated for the district under division (E) (2) (a) 386  
or (b) of this section for the preceding fiscal year. 387

The commissioner shall certify the sum of the amounts 388  
calculated for all eligible taxing districts under this division 389  
for a fiscal year to the director of budget and management who, 390  
on or before the seventh day of each month of that fiscal year, 391  
shall transfer from the general revenue fund to the local 392  
government fund one-twelfth of the amount certified. 393

(3) On or before the tenth day of each month, the tax 394  
commissioner shall provide for payment to each county treasury 395  
in which an eligible taxing district is located an amount equal 396  
to one-twelfth of the amount computed for the district for that 397

fiscal year under division (E) (2) of this section. 398

Money received into the treasury of a county under 399  
division (E) of this section shall be credited to the undivided 400  
local government fund in the treasury of the county on or before 401  
the fifteenth day of each month. On or before the twentieth day 402  
of each month, the county auditor shall issue warrants against 403  
the undivided local government fund for the amounts attributable 404  
to each eligible taxing district, and the treasurer shall 405  
distribute and pay such amounts to each eligible taxing 406  
district. Money received by a township fire district or joint 407  
fire district under this division shall be credited to the 408  
district's general fund and may be used for any lawful purpose 409  
of the district. Money received by a township under this 410  
division shall be credited to the township's general fund and 411  
shall be used for the purpose of funding fire, police, emergency 412  
medical, or ambulance services. 413

**Sec. 5747.502.** (A) As used in this section: 414

(1) "Local authority" and "traffic law photo-monitoring 415  
device" have the same meanings as in section 4511.092 of the 416  
Revised Code. 417

(2) "School zone" has the same meaning as in section 418  
4511.21 of the Revised Code. 419

(3) "Transportation district" means a territorial district 420  
established by the director of transportation under section 421  
5501.14 of the Revised Code. 422

(4) "District deputy director" means the person appointed 423  
and assigned by the director of transportation under section 424  
5501.14 of the Revised Code to administer the activities of a 425  
transportation district. 426

(5) "Gross amount" means the entire amount of traffic camera fines and fees paid by a driver.	427 428
(6) "Local government fund adjustment" or "LGF adjustment" means the sum of:	429 430
(a) The gross amount of all traffic camera fines collected by a local authority during the preceding fiscal year, as reported under division (B)(1) of this section, if such a report is required; plus	431 432 433 434
(b) The residual adjustment computed for the local authority under division (B)(4) of this section, if such an adjustment applies.	435 436 437
(7) "Local government fund payments" or "LGF payments" means the payments a local authority would receive under sections <del>5747.502</del> <u>5747.503</u> , 5747.51, and 5747.53, and division (C) of section 5747.50 of the Revised Code, as applicable, if not for the reductions required by divisions (C) and (D) of this section <u>or under section 5747.504 of the Revised Code.</u>	438 439 440 441 442 443
(8) "Residual adjustment" means the most recent LGF adjustment computed for a local authority under division (B)(2) or (3) of this section minus the sum of the reductions applied after that computation under division (C) of this section to the local authority's LGF payments.	444 445 446 447 448
(9) "Traffic camera fines" means civil fines for any violation of any local ordinance or resolution that are based upon evidence recorded by a traffic law photo-monitoring device.	449 450 451
(10) "Qualifying village" has the same meaning as in section 5747.503 of the Revised Code.	452 453
(B)(1) Annually, on or before the thirty-first day of	454



July, any local authority that directly or indirectly collected 455  
traffic camera fines during the preceding fiscal year shall file 456  
a report with the tax commissioner that includes a detailed 457  
statement of the gross amount of all traffic camera fines the 458  
local authority collected during that period and the gross 459  
amount of such fines that the local authority collected for 460  
violations that occurred within a school zone. 461

(2) Annually, on or before the tenth day of August, the 462  
commissioner shall compute a local government fund adjustment 463  
for each local authority that files a report under division (B) 464  
(1) of this section or with respect to which a residual 465  
adjustment applies. Subject to division (B)(3) of this section, 466  
the LGF adjustment shall be used by the commissioner to 467  
determine the amount of the reductions required under division 468  
(C) of this section for each of the next twelve months, starting 469  
with the month in which the LGF adjustment is computed. After 470  
those twelve months, the LGF adjustment ceases to apply and, if 471  
an LGF adjustment continues to be required, the amount of the 472  
reductions required under division (C) of this section shall be 473  
determined based on an updated LGF adjustment computed under 474  
this division. 475

(3) Upon receipt of a report described by division (B)(1) 476  
of this section that is not timely filed, the commissioner shall 477  
do both of the following: 478

(a) If one or more payments to the local authority has 479  
been withheld under division (D) of this section because of the 480  
local authority's failure to file the report, notify the county 481  
auditor and county treasurer of the appropriate county that the 482  
report has been received and that, subject to division (C) of 483  
this section, payments to the local authority from the undivided 484

local government fund are to resume. 485

(b) Compute the local authority's LGF adjustment using the 486  
information in the report. An LGF adjustment computed under this 487  
division shall be used by the commissioner to determine the 488  
amount of the reductions required under division (C) of this 489  
section starting with the next required reduction. The LGF 490  
adjustment ceases to apply on the thirty-first day of the 491  
ensuing July, following which, if an LGF adjustment continues to 492  
be required, the amount of the reductions required under 493  
division (C) of this section shall be determined based on an 494  
updated LGF adjustment computed under division (B) (2) of this 495  
section. 496

(4) Annually, on or before the tenth day of August, the 497  
commissioner shall compute a residual adjustment for each local 498  
authority whose LGF adjustment for the preceding year exceeds 499  
the amount by which the local authority's LGF payments were 500  
reduced during that year under division (C) of this section. The 501  
residual adjustment shall be used to compute the LGF adjustment 502  
for the ensuing year under division (B) (2) of this section. 503

(C) The commissioner shall do the following, as 504  
applicable, respecting any local authority to which an LGF 505  
adjustment computed under division (B) of this section applies: 506

(1) If the local authority is a municipal corporation with 507  
a population of one thousand or more, reduce payments to the 508  
municipal corporation under division (C) of section 5747.50 of 509  
the Revised Code by one-twelfth of the LGF adjustment. If one- 510  
twelfth of the LGF adjustment exceeds the amount of money the 511  
municipal corporation would otherwise receive under division (C) 512  
of section 5747.50 of the Revised Code, the commissioner also 513  
shall reduce payments to the appropriate county undivided local 514

government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the lesser of (a) one-twelfth of the excess, or (b) the amount of the payment the municipal corporation would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code.

(2) If the local authority is a township or qualifying village, reduce the supplemental payments to the appropriate county undivided local government fund under section 5747.503 of the Revised Code by the lesser of one-twelfth of the LGF adjustment, or the amount of money the township or qualifying village would otherwise receive under that section. If one-twelfth of the LGF adjustment exceeds the amount of money the township or qualifying village would otherwise receive under section 5747.503 of the Revised Code, the commissioner also shall reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the lesser of (a) one-twelfth of the excess, or (b) the amount of the payment the township or qualifying village would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code.

(3) If the local authority is a county, reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the lesser of (a) one-twelfth of the LGF adjustment, or (b) the amount of the payment the county would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code.

(4) For any local authority, on or before the tenth day of each month a reduction is made under division (C) (1), (2), or (3) of this section, make a payment to the local authority in an

amount equal to the lesser of (a) one-twelfth of the gross 545  
amount of traffic camera fines the local authority collected in 546  
the preceding fiscal year for violations that occurred within a 547  
school zone, as indicated on the report filed by the local 548  
authority pursuant to division (B)(1) of this section, or (b) 549  
the amount by which the local authority's LGF payments were 550  
reduced that month pursuant to division (C)(1), (2), or (3) of 551  
this section. Payments received by a local authority under this 552  
division shall be used by the local authority for school safety 553  
purposes. 554

(D) Upon discovery, based on information in the 555  
commissioner's possession, that a local authority required to 556  
file a report under division (B)(1) of this section has failed 557  
to do so, the commissioner shall do the following, as 558  
applicable: 559

(1) If the local authority is a municipal corporation with 560  
a population of one thousand or more, cease providing for 561  
payments to the municipal corporation under section 5747.50 of 562  
the Revised Code beginning with the next required payment and 563  
until such time as the report is received by the commissioner; 564

(2) If the local authority is a township or qualifying 565  
village, reduce the supplemental payments to the appropriate 566  
county undivided local government fund under section 5747.503 of 567  
the Revised Code by an amount equal to the amount of such 568  
payments the local authority would otherwise receive under that 569  
section, beginning with the next required payment and until such 570  
time as the report is received by the commissioner; 571

(3) For any local authority, reduce payments to the 572  
appropriate county undivided local government fund under 573  
division (B) of section 5747.50 of the Revised Code by an amount 574

equal to the amount of such payments the local authority would 575  
otherwise receive under section 5747.51 or 5747.53 of the 576  
Revised Code, beginning with the next required payment and until 577  
such time as the report is received by the commissioner; 578

(4) For any local authority, notify the county auditor and 579  
county treasurer that such payments are to cease until the 580  
commissioner notifies the auditor and treasurer under division 581  
(E) of this section that the payments are to resume. 582

(E) The commissioner shall notify the county auditor and 583  
county treasurer on or before the day the commissioner first 584  
reduces a county undivided local government fund payment to that 585  
county under division (C) of this section. The notice shall 586  
include the full amount of the reduction, a list of the local 587  
authorities to which the reduction applies, and the amount of 588  
reduction attributed to each such local authority. The 589  
commissioner shall send an updated notice to the county auditor 590  
and county treasurer any time the amount the reduction 591  
attributed to any local authority changes. 592

A county treasurer that receives a notice from the 593  
commissioner under this division or division (B) (3) (a) or (D) (4) 594  
of this section shall reduce, cease, or resume payments from the 595  
undivided local government fund to the local authority that is 596  
the subject of the notice as specified by the commissioner in 597  
the notice. Unless otherwise specified in the notice, the 598  
payments shall be reduced, ceased, or resumed beginning with the 599  
next required payment. 600

(F) There is hereby created in the state treasury the Ohio 601  
highway and transportation safety fund. On or before the tenth 602  
day of each month, the commissioner shall deposit in the fund an 603  
amount equal to the total amount by which payments to local 604

authorities were reduced or ceased under division (C) or (D) of 605  
this section minus the total amount of payments made under 606  
division (C) (4) of this section. The amount deposited with 607  
respect to a local authority shall be credited to an account to 608  
be created in the fund for the transportation district in which 609  
that local authority is located. If the local authority is 610  
located within more than one transportation district, the amount 611  
credited to the account of each such transportation district 612  
shall be prorated on the basis of the number of centerline miles 613  
of public roads and highways in both the local authority and the 614  
respective districts. Amounts credited to a transportation 615  
district's account shall be used by the department of 616  
transportation and the district deputy director exclusively to 617  
enhance public safety on public roads and highways within that 618  
transportation district. 619

Sec. 5747.504. (A) As used in this section: 620

(1) "Sanctuary jurisdiction adjustment" means ten per cent 621  
of a local authority's local government fund payment for a 622  
month. 623

(2) "Local authority" has the same meaning as in section 624  
5747.502 of the Revised Code. 625

(3) "Local government fund payments" or "LGF payments" 626  
means the payments a local authority would receive each month 627  
under sections 5747.503, 5747.51, and 5747.53, and division (C) 628  
of section 5747.50 of the Revised Code, as applicable, if not 629  
for the reductions required by this section, but subject to any 630  
reduction under section 5747.502 of the Revised Code for that 631  
month. 632

(4) "Qualifying village" has the same meaning as in 633

section 5747.503 of the Revised Code. 634

(B) Upon receiving notification from the attorney general, 635  
pursuant to section 9.632 of the Revised Code, that a local 636  
authority is not in compliance with the requirements of section 637  
9.631 of the Revised Code, the commissioner shall subtract a 638  
sanctuary jurisdiction adjustment from the local authority's LGF 639  
payments, as described in division (C) of this section, 640  
beginning with the next required payment and until such time as 641  
the attorney general notifies the commissioner, pursuant to 642  
section 9.632 of the Revised Code, that the local authority is 643  
in compliance with the requirements of section 9.631 of the 644  
Revised Code. 645

(C) (1) If the local authority is a municipal corporation 646  
with a population of one thousand or more, the commissioner 647  
shall first reduce payments to the municipal corporation under 648  
division (C) of section 5747.50 of the Revised Code by the 649  
lesser of the sanctuary jurisdiction adjustment or the amount 650  
the municipal corporation would otherwise receive under that 651  
division. If the sanctuary jurisdiction adjustment exceeds the 652  
amount of money the municipal corporation would otherwise 653  
receive under division (C) of section 5747.50 of the Revised 654  
Code, the commissioner also shall reduce payments to the 655  
appropriate county undivided local government fund under 656  
division (B) of section 5747.50 of the Revised Code by the 657  
excess sanctuary jurisdiction adjustment. 658

(2) If the local authority is a qualifying village or 659  
township, the commissioner shall first reduce supplemental 660  
payments to the appropriate county undivided local government 661  
fund under section 5747.503 of the Revised Code by the lesser of 662  
the sanctuary jurisdiction adjustment, or the amount of money 663

the qualifying village or township would otherwise receive under 664  
that section. If the sanctuary jurisdiction adjustment exceeds 665  
the amount of money the qualifying village or township would 666  
otherwise receive under section 5747.503 of the Revised Code, 667  
the commissioner also shall reduce payments to the appropriate 668  
county undivided local government fund under division (B) of 669  
section 5747.50 of the Revised Code by the excess sanctuary 670  
jurisdiction adjustment. 671

(3) If the local authority is a county, the commissioner 672  
shall reduce payments to the appropriate county undivided local 673  
government fund under division (B) of section 5747.50 of the 674  
Revised Code by the sanctuary jurisdiction adjustment. 675

(D) The tax commissioner shall notify the county auditor 676  
and county treasurer on or before the day the commissioner first 677  
reduces a county undivided local government fund payment to that 678  
county under division (C) of this section. The notice shall 679  
include the full amount of the reduction, a list of the local 680  
authorities to which the reduction applies, and the amount of 681  
reduction attributed to each such local authority. The 682  
commissioner shall send an updated notice to the county auditor 683  
and county treasurer any time the amount of the reduction 684  
attributed to any local authority changes or ceases. 685

A county treasurer that receives a notice from the 686  
commissioner under this division shall reduce or resume payments 687  
from the undivided local government fund to the local authority 688  
that is the subject of the notice. Unless otherwise specified in 689  
the notice, the payments shall be reduced or resumed beginning 690  
with the next required payment. 691

(E) On or before the tenth day of each month, the tax 692  
commissioner shall transfer from the local government fund to 693



the public safety - highway purposes fund created in section 694  
4501.06 of the Revised Code the sum of the payments withheld 695  
that month under division (C) of this section. Such moneys shall 696  
be used to pay the administrative costs and expenses associated 697  
with the state highway patrol and the state enforcement of 698  
traffic laws as conducted by the state highway patrol. 699

**Sec. 5747.51.** (A) On or before the twenty-fifth day of 700  
July of each year, the tax commissioner shall make and certify 701  
to the county auditor of each county an estimate of the amount 702  
of the local government fund to be allocated to the undivided 703  
local government fund of each county for the ensuing calendar 704  
year, adjusting the total as required to account for 705  
subdivisions receiving reduced local government funds under 706  
section 5747.502 or 5747.504 of the Revised Code. 707

(B) At each annual regular session of the county budget 708  
commission convened pursuant to section 5705.27 of the Revised 709  
Code, each auditor shall present to the commission the 710  
certificate of the commissioner, the annual tax budget and 711  
estimates, and the records showing the action of the commission 712  
in its last preceding regular session. The commission, after 713  
extending to the representatives of each subdivision an 714  
opportunity to be heard, under oath administered by any member 715  
of the commission, and considering all the facts and information 716  
presented to it by the auditor, shall determine the amount of 717  
the undivided local government fund needed by and to be 718  
apportioned to each subdivision for current operating expenses, 719  
as shown in the tax budget of the subdivision. This 720  
determination shall be made pursuant to divisions (C) to (I) of 721  
this section, unless the commission has provided for a formula 722  
pursuant to section 5747.53 of the Revised Code. The 723  
commissioner shall reduce the amount of funds from the undivided 724

local government fund to a subdivision required to receive 725  
reduced funds under section 5747.502 of the Revised Code. 726

Nothing in this section prevents the budget commission, 727  
for the purpose of apportioning the undivided local government 728  
fund, from inquiring into the claimed needs of any subdivision 729  
as stated in its tax budget, or from adjusting claimed needs to 730  
reflect actual needs. For the purposes of this section, "current 731  
operating expenses" means the lawful expenditures of a 732  
subdivision, except those for permanent improvements and except 733  
payments for interest, sinking fund, and retirement of bonds, 734  
notes, and certificates of indebtedness of the subdivision. 735

(C) The commission shall determine the combined total of 736  
the estimated expenditures, including transfers, from the 737  
general fund and any special funds other than special funds 738  
established for road and bridge; street construction, 739  
maintenance, and repair; state highway improvement; and gas, 740  
water, sewer, and electric public utilities operated by a 741  
subdivision, as shown in the subdivision's tax budget for the 742  
ensuing calendar year. 743

(D) From the combined total of expenditures calculated 744  
pursuant to division (C) of this section, the commission shall 745  
deduct the following expenditures, if included in these funds in 746  
the tax budget: 747

(1) Expenditures for permanent improvements as defined in 748  
division (E) of section 5705.01 of the Revised Code; 749

(2) In the case of counties and townships, transfers to 750  
the road and bridge fund, and in the case of municipalities, 751  
transfers to the street construction, maintenance, and repair 752  
fund and the state highway improvement fund; 753

(3) Expenditures for the payment of debt charges;	754
(4) Expenditures for the payment of judgments.	755
(E) In addition to the deductions made pursuant to	756
division (D) of this section, revenues accruing to the general	757
fund and any special fund considered under division (C) of this	758
section from the following sources shall be deducted from the	759
combined total of expenditures calculated pursuant to division	760
(C) of this section:	761
(1) Taxes levied within the ten-mill limitation, as	762
defined in section 5705.02 of the Revised Code;	763
(2) The budget commission allocation of estimated county	764
public library fund revenues to be distributed pursuant to	765
section 5747.48 of the Revised Code;	766
(3) Estimated unencumbered balances as shown on the tax	767
budget as of the thirty-first day of December of the current	768
year in the general fund, but not any estimated balance in any	769
special fund considered in division (C) of this section;	770
(4) Revenue, including transfers, shown in the general	771
fund and any special funds other than special funds established	772
for road and bridge; street construction, maintenance, and	773
repair; state highway improvement; and gas, water, sewer, and	774
electric public utilities, from all other sources except those	775
that a subdivision receives from an additional tax or service	776
charge voted by its electorate or receives from special	777
assessment or revenue bond collection. For the purposes of this	778
division, where the charter of a municipal corporation prohibits	779
the levy of an income tax, an income tax levied by the	780
legislative authority of such municipal corporation pursuant to	781
an amendment of the charter of that municipal corporation to	782

authorize such a levy represents an additional tax voted by the 783  
electorate of that municipal corporation. For the purposes of 784  
this division, any measure adopted by a board of county 785  
commissioners pursuant to section 322.02, 4504.02, or 5739.021 786  
of the Revised Code, including those measures upheld by the 787  
electorate in a referendum conducted pursuant to section 788  
322.021, 4504.021, or 5739.022 of the Revised Code, shall not be 789  
considered an additional tax voted by the electorate. 790

Subject to division (F) of section 5705.29 of the Revised 791  
Code, money in a reserve balance account established by a 792  
county, township, or municipal corporation under section 5705.13 793  
of the Revised Code shall not be considered an unencumbered 794  
balance or revenue under division (E) (3) or (4) of this section. 795  
Money in a reserve balance account established by a township 796  
under section 5705.132 of the Revised Code shall not be 797  
considered an unencumbered balance or revenue under division (E) 798  
(3) or (4) of this section. 799

If a county, township, or municipal corporation has 800  
created and maintains a nonexpendable trust fund under section 801  
5705.131 of the Revised Code, the principal of the fund, and any 802  
additions to the principal arising from sources other than the 803  
reinvestment of investment earnings arising from such a fund, 804  
shall not be considered an unencumbered balance or revenue under 805  
division (E) (3) or (4) of this section. Only investment earnings 806  
arising from investment of the principal or investment of such 807  
additions to principal may be considered an unencumbered balance 808  
or revenue under those divisions. 809

(F) The total expenditures calculated pursuant to division 810  
(C) of this section, less the deductions authorized in divisions 811  
(D) and (E) of this section, shall be known as the "relative 812

need" of the subdivision, for the purposes of this section. 813

(G) The budget commission shall total the relative need of 814  
all participating subdivisions in the county, and shall compute 815  
a relative need factor by dividing the total estimate of the 816  
undivided local government fund by the total relative need of 817  
all participating subdivisions. 818

(H) The relative need of each subdivision shall be 819  
multiplied by the relative need factor to determine the 820  
proportionate share of the subdivision in the undivided local 821  
government fund of the county; provided, that the maximum 822  
proportionate share of a county shall not exceed the following 823  
maximum percentages of the total estimate of the undivided local 824  
government fund governed by the relationship of the percentage 825  
of the population of the county that resides within municipal 826  
corporations within the county to the total population of the 827  
county as reported in the reports on population in Ohio by the 828  
department of development as of the twentieth day of July of the 829  
year in which the tax budget is filed with the budget 830  
commission: 831

832

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A	Percentage of municipal population within the county:	Percentage share of the county shall not exceed:
B	Less than forty-one per cent	Sixty per cent
C	Forty-one per cent or more but less than eighty-one per cent	Fifty per cent

D      Eighty-one per cent or more                      Thirty per cent

Where the proportionate share of the county exceeds the 833  
limitations established in this division, the budget commission 834  
shall adjust the proportionate shares determined pursuant to 835  
this division so that the proportionate share of the county does 836  
not exceed these limitations, and it shall increase the 837  
proportionate shares of all other subdivisions on a pro rata 838  
basis. In counties having a population of less than one hundred 839  
thousand, not less than ten per cent shall be distributed to the 840  
townships therein. 841

(I) The proportionate share of each subdivision in the 842  
undivided local government fund determined pursuant to division 843  
(H) of this section for any calendar year shall not be less than 844  
the product of the average of the percentages of the undivided 845  
local government fund of the county as apportioned to that 846  
subdivision for the calendar years 1968, 1969, and 1970, 847  
multiplied by the total amount of the undivided local government 848  
fund of the county apportioned pursuant to former section 849  
5739.23 of the Revised Code for the calendar year 1970. For the 850  
purposes of this division, the total apportioned amount for the 851  
calendar year 1970 shall be the amount actually allocated to the 852  
county in 1970 from the state collected intangible tax as levied 853  
by section 5707.03 of the Revised Code and distributed pursuant 854  
to section 5725.24 of the Revised Code, plus the amount received 855  
by the county in the calendar year 1970 pursuant to division (B) 856  
(1) of former section 5739.21 of the Revised Code, and 857  
distributed pursuant to former section 5739.22 of the Revised 858  
Code. If the total amount of the undivided local government fund 859  
for any calendar year is less than the amount of the undivided 860  
local government fund apportioned pursuant to former section 861

5739.23 of the Revised Code for the calendar year 1970, the 862  
minimum amount guaranteed to each subdivision for that calendar 863  
year pursuant to this division shall be reduced on a basis 864  
proportionate to the amount by which the amount of the undivided 865  
local government fund for that calendar year is less than the 866  
amount of the undivided local government fund apportioned for 867  
the calendar year 1970. 868

(J) On the basis of such apportionment, the county auditor 869  
shall compute the percentage share of each such subdivision in 870  
the undivided local government fund and shall at the same time 871  
certify to the tax commissioner the percentage share of the 872  
county as a subdivision. No payment shall be made from the 873  
undivided local government fund, except in accordance with such 874  
percentage shares. 875

Within ten days after the budget commission has made its 876  
apportionment, whether conducted pursuant to section 5747.51 or 877  
5747.53 of the Revised Code, the auditor shall publish a list of 878  
the subdivisions and the amount each is to receive from the 879  
undivided local government fund and the percentage share of each 880  
subdivision, in a newspaper or newspapers of countywide 881  
circulation, and send a copy of such allocation to the tax 882  
commissioner. 883

The county auditor shall also send a copy of such 884  
allocation by ordinary or electronic mail to the fiscal officer 885  
of each subdivision entitled to participate in the allocation of 886  
the undivided local government fund of the county. This copy 887  
shall constitute the official notice of the commission action 888  
referred to in section 5705.37 of the Revised Code. 889

All money received into the treasury of a subdivision from 890  
the undivided local government fund in a county treasury shall 891

be paid into the general fund and used for the current operating 892  
expenses of the subdivision. 893

If a municipal corporation maintains a municipal 894  
university, such municipal university, when the board of 895  
trustees so requests the legislative authority of the municipal 896  
corporation, shall participate in the money apportioned to such 897  
municipal corporation from the total local government fund, 898  
however created and constituted, in such amount as requested by 899  
the board of trustees, provided such sum does not exceed nine 900  
per cent of the total amount paid to the municipal corporation. 901

If any public official fails to maintain the records 902  
required by sections 5747.50 to 5747.55 of the Revised Code or 903  
by the rules issued by the tax commissioner, the auditor of 904  
state, or the treasurer of state pursuant to such sections, or 905  
fails to comply with any law relating to the enforcement of such 906  
sections, the local government fund money allocated to the 907  
county may be withheld until such time as the public official 908  
has complied with such sections or such law or the rules issued 909  
pursuant thereto. 910

**Sec. 5747.53.** (A) As used in this section: 911

(1) "City, located wholly or partially in the county, with 912  
the greatest population" means the city, located wholly or 913  
partially in the county, with the greatest population residing 914  
in the county; however, if the county budget commission on or 915  
before January 1, 1998, adopted an alternative method of 916  
apportionment that was approved by the legislative authority of 917  
the city, located partially in the county, with the greatest 918  
population but not the greatest population residing in the 919  
county, "city, located wholly or partially in the county, with 920  
the greatest population" means the city, located wholly or 921



partially in the county, with the greatest population whether 922  
residing in the county or not, if this alternative meaning is 923  
adopted by action of the board of county commissioners and a 924  
majority of the boards of township trustees and legislative 925  
authorities of municipal corporations located wholly or 926  
partially in the county. 927

(2) "Participating political subdivision" means a 928  
municipal corporation or township that satisfies all of the 929  
following: 930

(a) It is located wholly or partially in the county. 931

(b) It is not the city, located wholly or partially in the 932  
county, with the greatest population. 933

(c) Undivided local government fund moneys are apportioned 934  
to it under the county's alternative method or formula of 935  
apportionment in the current calendar year. 936

(B) In lieu of the method of apportionment of the 937  
undivided local government fund of the county provided by 938  
section 5747.51 of the Revised Code, the county budget 939  
commission may provide for the apportionment of the fund under 940  
an alternative method or on a formula basis as authorized by 941  
this section. The commissioner shall reduce the amount of funds 942  
from the undivided local government fund to a subdivision 943  
required to receive reduced funds under section 5747.502 or 944  
5747.504 of the Revised Code. 945

Except as otherwise provided in division (C) of this 946  
section, the alternative method of apportionment shall have 947  
first been approved by all of the following governmental units: 948  
the board of county commissioners; the legislative authority of 949  
the city, located wholly or partially in the county, with the 950

greatest population; and a majority of the boards of township trustees and legislative authorities of municipal corporations, located wholly or partially in the county, excluding the legislative authority of the city, located wholly or partially in the county, with the greatest population. In granting or denying approval for an alternative method of apportionment, the board of county commissioners, boards of township trustees, and legislative authorities of municipal corporations shall act by motion. A motion to approve shall be passed upon a majority vote of the members of a board of county commissioners, board of township trustees, or legislative authority of a municipal corporation, shall take effect immediately, and need not be published.

Any alternative method of apportionment adopted and approved under this division shall be reviewed by the county budget commission at a public hearing held at least once in the year following ~~the effective date of this amendment~~ October 3, 2023, and in every fifth year thereafter. The county budget commission shall provide reasonable advance notice of the hearing to all political subdivisions eligible to participate in the fund and shall take public testimony from any such political subdivision that wishes to testify.

Any alternative method of apportionment adopted and approved under this division may be revised, amended, or repealed in the same manner as it may be adopted and approved. If an alternative method of apportionment adopted and approved under this division is repealed, the undivided local government fund of the county shall be apportioned among the subdivisions eligible to participate in the fund, commencing in the ensuing calendar year, under the apportionment provided in section 5747.52 of the Revised Code, unless the repeal occurs by

operation of division (C) of this section or a new method for 982  
apportionment of the fund is provided in the action of repeal. 983

(C) This division applies only in counties in which the 984  
city, located wholly or partially in the county, with the 985  
greatest population has a population of twenty thousand or less 986  
and a population that is less than fifteen per cent of the total 987  
population of the county. In such a county, the legislative 988  
authorities or boards of township trustees of two or more 989  
participating political subdivisions, which together have a 990  
population residing in the county that is a majority of the 991  
total population of the county, each may adopt a resolution to 992  
exclude the approval otherwise required of the legislative 993  
authority of the city, located wholly or partially in the 994  
county, with the greatest population. All of the resolutions to 995  
exclude that approval shall be adopted not later than the first 996  
Monday of August of the year preceding the calendar year in 997  
which distributions are to be made under an alternative method 998  
of apportionment. 999

A motion granting or denying approval of an alternative 1000  
method of apportionment under this division shall be adopted by 1001  
a majority vote of the members of the board of county 1002  
commissioners and by a majority vote of a majority of the boards 1003  
of township trustees and legislative authorities of the 1004  
municipal corporations located wholly or partially in the 1005  
county, other than the city, located wholly or partially in the 1006  
county, with the greatest population, shall take effect 1007  
immediately, and need not be published. The alternative method 1008  
of apportionment under this division shall be adopted and 1009  
approved annually, not later than the first Monday of August of 1010  
the year preceding the calendar year in which distributions are 1011  
to be made under it. A motion granting approval of an 1012

alternative method of apportionment under this division repeals 1013  
any existing alternative method of apportionment, effective with 1014  
distributions to be made from the fund in the ensuing calendar 1015  
year. An alternative method of apportionment under this division 1016  
shall not be revised or amended after the first Monday of August 1017  
of the year preceding the calendar year in which distributions 1018  
are to be made under it. 1019

(D) In determining an alternative method of apportionment 1020  
authorized by this section, the county budget commission may 1021  
include in the method any factor considered to be appropriate 1022  
and reliable, in the sole discretion of the county budget 1023  
commission. 1024

(E) The limitations set forth in section 5747.51 of the 1025  
Revised Code, stating the maximum amount that the county may 1026  
receive from the undivided local government fund and the minimum 1027  
amount the townships in counties having a population of less 1028  
than one hundred thousand may receive from the fund, are 1029  
applicable to any alternative method of apportionment authorized 1030  
under this section. 1031

(F) On the basis of any alternative method of 1032  
apportionment adopted and approved as authorized by this 1033  
section, as certified by the auditor to the county treasurer, 1034  
the county treasurer shall make distribution of the money in the 1035  
undivided local government fund to each subdivision eligible to 1036  
participate in the fund, and the auditor, when the amount of 1037  
those shares is in the custody of the treasurer in the amounts 1038  
so computed to be due the respective subdivisions, shall at the 1039  
same time certify to the tax commissioner the percentage share 1040  
of the county as a subdivision. All money received into the 1041  
treasury of a subdivision from the undivided local government 1042

fund in a county treasury shall be paid into the general fund 1043  
and used for the current operating expenses of the subdivision. 1044  
If a municipal corporation maintains a municipal university, the 1045  
university, when the board of trustees so requests the 1046  
legislative authority of the municipal corporation, shall 1047  
participate in the money apportioned to the municipal 1048  
corporation from the total local government fund, however 1049  
created and constituted, in the amount requested by the board of 1050  
trustees, provided that amount does not exceed nine per cent of 1051  
the total amount paid to the municipal corporation. 1052

(G) The actions of the county budget commission taken 1053  
pursuant to this section are final and may not be appealed to 1054  
the board of tax appeals, except on the issues of abuse of 1055  
discretion and failure to comply with the formula. 1056

**Section 2.** That existing sections 9.63, 4501.06, 5747.50, 1057  
5747.502, 5747.51, and 5747.53 of the Revised Code are hereby 1058  
repealed. 1059

**Section 3.** If any provision of this act or the application 1060  
of this act to any person or circumstance is held invalid, that 1061  
invalidity does not affect any other provisions or applications 1062  
of this act that can be given effect without the invalid 1063  
provision or application. 1064

**Section 4.** (A) The General Assembly finds that all of the 1065  
following are true: 1066

(1) Sanctuary policies that restrict, obstruct, or 1067  
discourage cooperation with federal immigration authorities are 1068  
prohibited by such federal laws as Section 642 of the "Omnibus 1069  
Consolidated Appropriations Act of 1996," 8 U.S.C. 1373, which 1070  
states that "a Federal, State, or local government entity or 1071

official may not prohibit, or in any way restrict, any 1072  
government entity or official from sending to, or receiving 1073  
from, the Immigration and Naturalization Service information 1074  
regarding the citizenship or immigration status, lawful or 1075  
unlawful, of any individual." 1076

(2) In *Arizona v. United States*, 567 U.S. 387 (2012), the 1077  
Supreme Court of the United States ruled that the United States 1078  
Congress has the exclusive authority to legislate on immigration 1079  
matters, that states may not augment the penalties for violating 1080  
federal immigration laws, that "consultation between federal and 1081  
state officials is an important feature of the immigration 1082  
system," and that "Congress has encouraged the sharing of 1083  
information about possible immigration violations." 1084

(B) The General Assembly declares all of the following: 1085

(1) Given the supremacy of all federal laws pertaining to 1086  
immigration, including Section 274 of the "Immigration and 1087  
Nationality Act," 8 U.S.C. 1324, as amended, which prohibits 1088  
knowingly harboring persons who are unlawfully present in the 1089  
United States, it is inappropriate and contrary to the public 1090  
safety and welfare of this state for any public official to 1091  
encourage, endorse, or otherwise support any public or private 1092  
organization that seeks to offer so-called "sanctuary 1093  
protection" to persons who are unlawfully present in the United 1094  
States. 1095

(2) Policies that direct state or local employees not to 1096  
cooperate with federal immigration authorities or that protect 1097  
persons who are unlawfully present in the United States are 1098  
contrary to federal law, the interests of this state, and the 1099  
safety and welfare of the people of this state. 1100

(3) This act is necessary to ensure consistency and 1101  
fairness in the enforcement of the laws of this state. 1102

(4) The subject of this act is a matter of statewide 1103  
concern. 1104

**Section 5.** This act shall be known as the Protecting Ohio 1105  
Communities Act. 1106

**Section 6.** Section 5747.53 of the Revised Code is 1107  
presented in this act as a composite of the section as amended 1108  
by H.B. 33 of the 135th General Assembly and H.B. 62 of the 1109  
133rd General Assembly. The General Assembly, applying the 1110  
principle stated in division (B) of section 1.52 of the Revised 1111  
Code that amendments are to be harmonized if reasonably capable 1112  
of simultaneous operation, finds that the composite is the 1113  
resulting version of the section in effect prior to the 1114  
effective date of the section as presented in this act. 1115

**Section 7.** This act is declared to be an emergency measure 1116  
necessary for the immediate preservation of the public peace, 1117  
health, and safety. The reason for that necessity is that 1118  
government policies that prohibit cooperation with federal 1119  
authorities in the enforcement of immigration laws endanger the 1120  
public safety and welfare. Therefore, this act shall go into 1121  
immediate effect. 1122