

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "3317.01" insert ", 5705.29"

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In line 5, after "3317.01" insert ", 5705.29"

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After line 82, insert:

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**"Sec. 5705.29.** This section does not apply to a  
subdivision or taxing unit for which the county budget  
commission has waived the requirement to adopt a tax budget  
pursuant to section 5705.281 of the Revised Code. The tax budget  
shall present the following information:

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(A) (1) A statement of the necessary current operating  
expenses for the ensuing fiscal year for each department and  
division of the subdivision, classified as to personal services  
and other expenses, and the fund from which such expenditures  
are to be made. Except in the case of a school district, this  
estimate may include a contingent expense not designated for any  
particular purpose, and not to exceed three per cent of the  
total amount of appropriations for current expenses. In the case  
of a school district, this estimate may include a contingent

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expense not designated for any particular purpose and not to 18  
exceed thirteen per cent of the total amount of appropriations 19  
for current expenses. 20

(2) A statement of the expenditures for the ensuing fiscal 21  
year necessary for permanent improvements, exclusive of any 22  
expense to be paid from bond issues, classified as to the 23  
improvements contemplated by the subdivision and the fund from 24  
which such expenditures are to be made; 25

(3) The amounts required for the payment of final 26  
judgments; 27

(4) A statement of expenditures for the ensuing fiscal 28  
year necessary for any purpose for which a special levy is 29  
authorized, and the fund from which such expenditures are to be 30  
made; 31

(5) Comparative statements, so far as possible, in 32  
parallel columns of corresponding items of expenditures for the 33  
current fiscal year, including a statement of estimated expenses 34  
to the end of that fiscal year, and the two preceding fiscal 35  
years. 36

(B) (1) An estimate of receipts from other sources than the 37  
general property tax during the ensuing fiscal year, which shall 38  
include an estimate of unencumbered balances at the end of the 39  
current fiscal year, and the funds to which such estimated 40  
receipts are credited; 41

(2) The amount each fund requires from the general 42  
property tax, which shall be the difference between the 43  
contemplated expenditure from the fund and the estimated 44  
receipts, as provided in this section. The section of the 45  
Revised Code under which the tax is authorized shall be set 46

forth. 47

(3) Comparative statements, so far as possible, in 48  
parallel columns of taxes and other revenues for the current 49  
fiscal year and the two preceding fiscal years; 50

(4) Comparative statements, so far as possible, in 51  
parallel columns of all funds in control of the subdivision for 52  
the current fiscal year and the two preceding fiscal years not 53  
already included in the tax budget pursuant to divisions (B) (1) 54  
to (3) of this section; 55

(5) If any estimated unencumbered balance included 56  
pursuant to divisions (B) (1) to (4) of this section equals or 57  
exceeds one hundred per cent of the estimated expenditures from 58  
that fund for the fiscal year, an explanation of the current or 59  
future need for the unencumbered balance. 60

(C) (1) The amount required for debt charges; 61

(2) The estimated receipts from sources other than the tax 62  
levy for payment of such debt charges, including the proceeds of 63  
refunding bonds to be issued to refund bonds maturing in the 64  
next succeeding fiscal year; 65

(3) The net amount for which a tax levy shall be made, 66  
classified as to bonds authorized and issued prior to January 1, 67  
1922, and those authorized and issued subsequent to such date, 68  
and as to what portion of the levy will be within and what in 69  
excess of the ten-mill limitation. 70

(D) An estimate of amounts from taxes authorized to be 71  
levied in excess of the ten-mill limitation on the tax rate, and 72  
the fund to which such amounts will be credited, together with 73  
the sections of the Revised Code under which each such tax is 74

exempted from all limitations on the tax rate. 75

(E) If the taxing unit estimates that it will collect more 76  
revenue in the succeeding fiscal year than in the current fiscal 77  
year from any tax levied within the ten-mill limitation or due 78  
to the operation of division (E) of section 319.301 of the 79  
Revised Code, a declaration of the taxing unit's intent to 80  
collect the additional revenue or to forgo all or a portion of 81  
the additional revenue. 82

(F) (1) A board of education may include in its budget for 83  
the fiscal year in which a levy proposed under section 5705.194, 84  
5705.199, 5705.21, 5705.213, or 5705.219, a property tax levy 85  
proposed under section 5748.09, or the original levy under 86  
section 5705.212 of the Revised Code is first extended on the 87  
tax list and duplicate an estimate of expenditures to be known 88  
as a voluntary contingency reserve balance, which shall not be 89  
greater than twenty-five per cent of the total amount of the 90  
levy estimated to be available for appropriation in such year. 91

(2) A board of education may include in its budget for the 92  
fiscal year following the year in which a levy proposed under 93  
section 5705.194, 5705.199, 5705.21, 5705.213, or 5705.219, a 94  
property tax levy proposed under section 5748.09, or the 95  
original levy under section 5705.212 of the Revised Code is 96  
first extended on the tax list and duplicate an estimate of 97  
expenditures to be known as a voluntary contingency reserve 98  
balance, which shall not be greater than twenty per cent of the 99  
amount of the levy estimated to be available for appropriation 100  
in such year. 101

(3) Except as provided in division (F) (4) of this section, 102  
the full amount of any reserve balance the board includes in its 103  
budget shall be retained by the county auditor and county 104

treasurer out of the first semiannual settlement of taxes until 105  
the beginning of the next succeeding fiscal year, and thereupon, 106  
with the depository interest apportioned thereto, it shall be 107  
turned over to the board of education, to be used for the 108  
purposes of such fiscal year. 109

(4) A board of education, by a two-thirds vote of all 110  
members of the board, may appropriate any amount withheld as a 111  
voluntary contingency reserve balance during the fiscal year for 112  
any lawful purpose, provided that prior to such appropriation 113  
the board of education has authorized the expenditure of all 114  
amounts appropriated for contingencies under section 5705.40 of 115  
the Revised Code. Upon request by the board of education, the 116  
county auditor shall draw a warrant on the district's account in 117  
the county treasury payable to the district in the amount 118  
requested." 119

In line 107, after "limitation" insert ", except renewal levies," 120

In line 108, delete "year" and insert "five years"; delete ","; 121  
strike through "unless"; delete "the levy is the" and insert "and"; delete 122  
"of an" 123

In line 109, delete "existing tax or" and insert "levies in the" 124  
first year they are levied unless" 125

In line 161, after "(A)" insert "As used in this section:" 126

(1) "Unnecessary collections" mean collections from a tax 127  
beyond the reasonably anticipated financial needs of the taxing 128  
authority for the specific purposes of the tax after accounting 129  
for current fund balances, projected expenditures, and other 130  
available funding sources. 131

(2) "Excessive collections" mean collections from a tax in 132

an amount or at a rate that exceeds what is required to provide 133  
services at a level that is consistent with statutory 134  
obligations. 135

(B) " 136

In line 175, strike through "(B)" and insert "(C)" 137

In line 182, delete the first "," and insert "or"; delete ", or 138  
unnneeded"; after "collections." insert "Before reducing the amount or rate 139  
of any tax pursuant to this division, the commission shall provide the 140  
taxing authority of the levying taxing unit an opportunity to present, at 141  
a public hearing, information the authority considers relevant to the 142  
questions of if and to what extent the levy should be reduced." 143

In line 198, delete "(C)" and insert "(D)" 144

In line 218, delete "(D)" and insert "(E)" 145

In line 245, delete "(E)" and insert "(F)" 146

In line 246, delete "(C)" and insert "(D)"; delete "(D)" and insert 147  
"(E)" 148

In line 257, delete "(F) (1)" and insert "(G) (1)" 149

In line 272, delete "(G)" and insert "(H)" 150

In line 306, delete "(D)" and insert "(E)" 151

In line 413, after "3317.01" insert ", 5705.29" 152

The motion was \_\_\_\_\_ agreed to.

**SYNOPSIS** 153

<b>County budget commission (CBC) levy reduction authority</b>	154
<b>R.C. 5705.29, 5705.31, 5705.32, and 5705.321</b>	155
Requires annual tax budgets to include an explanation of	156
need whenever an estimated carryover balance equals or exceeds	157
100% of expenditures from the fund the balance is estimated for.	158
Prohibits a county budget commission (CBC) from reducing a	159
renewal levy for one year after its approval by voters and other	160
voted levies for five years. The current version includes a	161
prohibition for one year for most voted levies and no	162
prohibition for renewal levies.	163
Replaces the bill's grant of authority to CBCs to reduce	164
the class of levies CBCs are not required to approve without	165
modification to avoid unnecessary, excessive, or unneeded	166
collections with authority to reduce unnecessary or excessive	167
collections, with the following definitions:	168
--"Unnecessary collections": collections from a tax beyond	169
the reasonably anticipated financial needs of the taxing	170
authority for the specific purposes of the tax after accounting	171
for current fund balances, projected expenditures, and other	172
available funding sources.	173
--"Excessive collections": collections from a tax in an	174
amount or at a rate that exceeds what is required to provide	175
services at a level that is consistent with statutory	176
obligations.	177
Requires a CBC to hold a hearing before reducing the	178
amount or rate of any tax it finds excessive or unnecessary so	179
the taxing authority may present information it considers	180
relevant to the questions of if and to what extent the levy	181

should be reduced.

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