

As Introduced

136th General Assembly

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H. B. No. 785

Representatives Mathews, T., Hoops

To amend sections 123.01, 123.17, and 5913.09 and 1
to enact section 123.012 of the Revised Code to 2
authorize the state to enter into an enhanced 3
lease agreement, with a private entity, to 4
utilize unproductive and unused state real 5
property, to empower a board of trustees of a 6
state university and the Adjutant General to 7
lease land, and to name this act the Advancing 8
Strategic State and Military Asset Efficiency 9
and Transformation (ASSET) Act. 10

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

Section 1. That sections 123.01, 123.17, and 5913.09 be 11
amended and section 123.012 of the Revised Code be enacted to 12
read as follows: 13

Sec. 123.01. (A) The department of administrative 14
services, in addition to those powers enumerated in Chapters 15
124. and 125. of the Revised Code and provided elsewhere by law, 16
the board of trustees of a state university or college under 17
division (A) (5) (b) of this section, and the adjutant general 18
under division (A) (5) (c) of this section, shall exercise the 19
following powers: 20

(1) To prepare and suggest comprehensive plans for the development of grounds and buildings under the control of a state agency;

(2) To acquire, by purchase, gift, devise, lease, or grant, all real estate required by a state agency, in the exercise of which power the department may exercise the power of eminent domain, in the manner provided by sections 163.01 to 163.22 of the Revised Code;

(3) To erect, supervise, and maintain all public monuments and memorials erected by the state, except where the supervision and maintenance is otherwise provided by law;

(4) To procure, by lease, storage accommodations for a state agency;

(5) To lease or grant easements or licenses for unproductive and unused lands or other property under the control of a state agency. Such leases, easements, or licenses shall be executed for the state by the director of administrative services and may be granted to any person or entity, ~~shall be for~~ according to the following:

(a) For a period not to exceed fifteen years, ~~unless a longer period is authorized by division (A) (5) of this section, and shall be executed for the state by the director of administrative services. The director shall grant leases, easements, or licenses of;~~

(b) For university land, for periods not to exceed ~~twenty-five years for purposes approved by the respective university's board of trustees wherein the uses are compatible with the uses and needs of the university and may grant leases of university land for periods not to exceed forty years,~~ with a like or

lesser renewal term, for purposes approved by the respective 50
university's board of trustees, to public utilities as defined 51
in section 4905.02 of the Revised Code or described in section 52
4905.03 of the Revised Code pursuant to section 123.17 of the 53
Revised Code. ~~The director may,~~ or to other state agencies, 54
political subdivisions, or tenants pursuant to section 123.17 or 55
123.012 of the Revised Code or Chapter 3345. of the Revised 56
Code; 57

(c) For real property under the control of a state agency, 58
for university land, and for property under the custody of the 59
adjutant general, pursuant to section 123.012 of the Revised 60
Code; 61

(d) To grant, with controlling board approval, perpetual 62
easements to public utilities, as defined in section 4905.02 of 63
the Revised Code or described in section 4905.03 of the Revised 64
Code, or to other state agencies, political subdivisions, or 65
tenants, under section 123.17 or 123.012 of the Revised Code or 66
Chapter 3345. Of the Revised Code. 67

(6) To lease space for the use of a state agency; 68

(7) To have general supervision and care of the 69
storerooms, offices, and buildings leased for the use of a state 70
agency; 71

(8) To exercise general custodial care of all real 72
property of the state; 73

(9) To assign and group together state offices in any city 74
in the state and to establish, in cooperation with the state 75
agencies involved, rules governing space requirements for office 76
or storage use; 77

(10) To lease for a period not to exceed forty years, 78

pursuant to a contract providing for the construction thereof 79
under a lease-purchase plan, buildings, structures, and other 80
improvements for any public purpose, and, in conjunction 81
therewith, to grant leases, easements, or licenses for lands 82
under the control of a state agency for a period not to exceed 83
forty years. The lease-purchase plan shall provide that at the 84
end of the lease period, the buildings, structures, and related 85
improvements, together with the land on which they are situated, 86
shall become the property of the state without cost. 87

(a) Whenever any building, structure, or other improvement 88
is to be so leased by a state agency, the department shall 89
retain either basic plans, specifications, bills of materials, 90
and estimates of cost with sufficient detail to afford bidders 91
all needed information or, alternatively, all of the following 92
plans, details, bills of materials, and specifications: 93

(i) Full and accurate plans suitable for the use of 94
mechanics and other builders in the improvement; 95

(ii) Details to scale and full sized, so drawn and 96
represented as to be easily understood; 97

(iii) Accurate bills showing the exact quantity of 98
different kinds of material necessary to the construction; 99

(iv) Definite and complete specifications of the work to 100
be performed, together with such directions as will enable a 101
competent mechanic or other builder to carry them out and afford 102
bidders all needed information; 103

(v) A full and accurate estimate of each item of expense 104
and of the aggregate cost thereof. 105

(b) The department shall give public notice, in such 106
newspaper, in such form, and with such phraseology as the 107

director of administrative services prescribes, published once 108
each week for four consecutive weeks, of the time when and place 109
where bids will be received for entering into an agreement to 110
lease to a state agency a building, structure, or other 111
improvement. The last publication shall be at least eight days 112
preceding the day for opening the bids. The bids shall contain 113
the terms upon which the builder would propose to lease the 114
building, structure, or other improvement to the state agency. 115
The form of the bid approved by the department shall be used, 116
and a bid is invalid and shall not be considered unless that 117
form is used without change, alteration, or addition. Before 118
submitting bids pursuant to this section, any builder shall 119
comply with Chapter 153. of the Revised Code. 120

(c) On the day and at the place named for receiving bids 121
for entering into lease agreements with a state agency, the 122
director of administrative services shall open the bids and 123
shall publicly proceed immediately to tabulate the bids upon 124
duplicate sheets. No lease agreement shall be entered into until 125
the bureau of workers' compensation has certified that the 126
person to be awarded the lease agreement has complied with 127
Chapter 4123. of the Revised Code, until, if the builder 128
submitting the lowest and best bid is a foreign corporation, the 129
secretary of state has certified that the corporation is 130
authorized to do business in this state, until, if the builder 131
submitting the lowest and best bid is a person nonresident of 132
this state, the person has filed with the secretary of state a 133
power of attorney designating the secretary of state as its 134
agent for the purpose of accepting service of summons in any 135
action brought under Chapter 4123. of the Revised Code, and 136
until the agreement is submitted to the attorney general and the 137
attorney general's approval is certified thereon. Within thirty 138

days after the day on which the bids are received, the 139
department shall investigate the bids received and shall 140
determine that the bureau and the secretary of state have made 141
the certifications required by this section of the builder who 142
has submitted the lowest and best bid. Within ten days of the 143
completion of the investigation of the bids, the department 144
shall award the lease agreement to the builder who has submitted 145
the lowest and best bid and who has been certified by the bureau 146
and secretary of state as required by this section. If bidding 147
for the lease agreement has been conducted upon the basis of 148
basic plans, specifications, bills of materials, and estimates 149
of costs, upon the award to the builder the department, or the 150
builder with the approval of the department, shall appoint an 151
architect or engineer licensed in this state to prepare such 152
further detailed plans, specifications, and bills of materials 153
as are required to construct the building, structure, or 154
improvement. The department shall adopt such rules as are 155
necessary to give effect to this section. The department may 156
reject any bid. Where there is reason to believe there is 157
collusion or combination among bidders, the bids of those 158
concerned therein shall be rejected. 159

(11) To acquire by purchase, gift, devise, or grant and to 160
transfer, lease, or otherwise dispose of all real property 161
required to assist in the development of a conversion facility 162
as defined in section 5709.30 of the Revised Code as that 163
section existed before its repeal by Amended Substitute House 164
Bill 95 of the 125th general assembly; 165

(12) To lease for a period not to exceed forty years, 166
notwithstanding any other division of this section, the state- 167
owned property located at 408-450 East Town Street, Columbus, 168
Ohio, formerly the state school for the deaf, to a developer in 169

accordance with this section. "Developer," as used in this 170
section, has the same meaning as in section 123.77 of the 171
Revised Code. 172

Such a lease shall be for the purpose of development of 173
the land for use by senior citizens by constructing, altering, 174
renovating, repairing, expanding, and improving the site as it 175
existed on June 25, 1982. A developer desiring to lease the land 176
shall prepare for submission to the department a plan for 177
development. Plans shall include provisions for roads, sewers, 178
water lines, waste disposal, water supply, and similar matters 179
to meet the requirements of state and local laws. The plans 180
shall also include provision for protection of the property by 181
insurance or otherwise, and plans for financing the development, 182
and shall set forth details of the developer's financial 183
responsibility. 184

The department may employ, as employees or consultants, 185
persons needed to assist in reviewing the development plans. 186
Those persons may include attorneys, financial experts, 187
engineers, and other necessary experts. The department shall 188
review the development plans and may enter into a lease if it 189
finds all of the following: 190

(a) The best interests of the state will be promoted by 191
entering into a lease with the developer; 192

(b) The development plans are satisfactory; 193

(c) The developer has established the developer's 194
financial responsibility and satisfactory plans for financing 195
the development. 196

The lease shall contain a provision that construction or 197
renovation of the buildings, roads, structures, and other 198

necessary facilities shall begin within one year after the date 199
of the lease and shall proceed according to a schedule agreed to 200
between the department and the developer or the lease will be 201
terminated. The lease shall contain such conditions and 202
stipulations as the director considers necessary to preserve the 203
best interest of the state. Moneys received by the state 204
pursuant to this lease shall be paid into the general revenue 205
fund. The lease shall provide that at the end of the lease 206
period the buildings, structures, and related improvements shall 207
become the property of the state without cost. 208

(13) To manage the use of space owned and controlled by 209
the department by doing all of the following: 210

(a) Biennially implementing, by state agency location, a 211
census of agency employees assigned space; 212

(b) Periodically in the discretion of the director of 213
administrative services: 214

(i) Requiring each state agency to categorize the use of 215
space allotted to the agency between office space, common areas, 216
storage space, and other uses, and to report its findings to the 217
department; 218

(ii) Creating and updating a master space utilization plan 219
for all space allotted to state agencies. The plan shall 220
incorporate space utilization metrics. 221

(iii) Conducting a cost-benefit analysis to determine the 222
effectiveness of state-owned buildings; 223

(iv) Assessing the alternatives associated with 224
consolidating the commercial leases for buildings located in 225
Columbus. 226

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| (c) Commissioning a comprehensive space utilization and capacity study in order to determine the feasibility of consolidating existing commercially leased space used by state agencies into a new state-owned facility. | 227 228 229 230 |
| (14) To adopt rules to ensure that energy efficiency and conservation is considered in the purchase of products and equipment, except motor vehicles, by any state agency, department, division, bureau, office, unit, board, commission, authority, quasi-governmental entity, or institution. The department may require minimum energy efficiency standards for purchased products and equipment based on federal testing and labeling if available or on standards developed by the department. When possible, the rules shall apply to the competitive selection of energy consuming systems, components, and equipment under Chapter 125. of the Revised Code. | 231 232 233 234 235 236 237 238 239 240 241 |
| (15) To ensure energy efficient and energy conserving purchasing practices by doing all of the following: | 242 243 |
| (a) Identifying available energy efficiency and conservation opportunities; | 244 245 |
| (b) Providing for interchange of information among purchasing agencies; | 246 247 |
| (c) Identifying laws, policies, rules, and procedures that should be modified; | 248 249 |
| (d) Monitoring experience with and the cost-effectiveness of this state's purchase and use of motor vehicles and of major energy-consuming systems, components, equipment, and products having a significant impact on energy consumption by the government; | 250 251 252 253 254 |
| (e) Providing technical assistance and training to state | 255 |

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| employees involved in the purchasing process; | 256 |
| (f) Working with the department of development to make | 257 |
| recommendations regarding planning and implementation of | 258 |
| purchasing policies and procedures that are supportive of energy | 259 |
| efficiency and conservation. | 260 |
| (16) To require all state agencies, departments, | 261 |
| divisions, bureaus, offices, units, commissions, boards, | 262 |
| authorities, quasi-governmental entities, institutions, and | 263 |
| state institutions of higher education to implement procedures | 264 |
| to ensure that all of the passenger automobiles they acquire in | 265 |
| each fiscal year, except for those passenger automobiles | 266 |
| acquired for use in law enforcement or emergency rescue work, | 267 |
| achieve a fleet average fuel economy of not less than the fleet | 268 |
| average fuel economy for that fiscal year as the department | 269 |
| shall prescribe by rule. The department shall adopt the rule | 270 |
| prior to the beginning of the fiscal year, in accordance with | 271 |
| the average fuel economy standards established by federal law | 272 |
| for passenger automobiles manufactured during the model year | 273 |
| that begins during the fiscal year. | 274 |
| Each state agency, department, division, bureau, office, | 275 |
| unit, commission, board, authority, quasi-governmental entity, | 276 |
| institution, and state institution of higher education shall | 277 |
| determine its fleet average fuel economy by dividing the total | 278 |
| number of passenger vehicles acquired during the fiscal year, | 279 |
| except for those passenger vehicles acquired for use in law | 280 |
| enforcement or emergency rescue work, by a sum of terms, each of | 281 |
| which is a fraction created by dividing the number of passenger | 282 |
| vehicles of a given make, model, and year, except for passenger | 283 |
| vehicles acquired for use in law enforcement or emergency rescue | 284 |
| work, acquired during the fiscal year by the fuel economy | 285 |

measured by the administrator of the United States environmental 286
protection agency, for the given make, model, and year of 287
vehicle, that constitutes an average fuel economy for combined 288
city and highway driving. 289

As used in division (A) (16) of this section, "acquired" 290
means leased for a period of sixty continuous days or more, or 291
purchased. 292

(17) To correct legal descriptions or title defects, or 293
release fractional interests in real property, as necessary to 294
cure title clouds reflected in public records, including those 295
resulting from boundary disputes, ingress or egress issues, 296
title transfers precipitated through retirement of bond 297
requirements, and the retention of fractional interests in real 298
estate otherwise disposed of in previous title transfers. 299

(18) (a) To, with controlling board approval, sell state- 300
owned real property that is not held for the benefit of an 301
institution of higher education and is appraised at not more 302
than one hundred thousand dollars by an independent third-party 303
appraiser. 304

(b) To sell state-owned real property that is held for the 305
benefit of an institution of higher education, provided all of 306
the following are true: 307

(i) The board of trustees of the institution of higher 308
education, or, in the case of a university branch district, any 309
other managing authority, adopts a resolution approving the 310
sale; 311

(ii) The real property is appraised at not more than ten 312
million dollars by an independent third-party appraiser; 313

(iii) The controlling board approves the sale. 314

Notwithstanding any provision of law to the contrary, net 315
proceeds from any disposition of real property made pursuant to 316
division (A) (18) of this section shall, at the direction of the 317
director of budget and management, be credited to a fund or 318
funds in the state treasury, or to accounts held by an 319
institution of higher education for purposes to be determined by 320
the institution. 321

As used in division (A) (18) of this section, "institution 322
of higher education" has the same meaning as in section 3345.12 323
of the Revised Code. 324

(B) This section and section 125.02 of the Revised Code 325
shall not interfere with any of the following: 326

(1) The power of the adjutant general to purchase military 327
supplies, or with the custody of the adjutant general of 328
property leased, purchased, or constructed by the state and used 329
for military purposes, or with the functions of the adjutant 330
general as director of state armories; 331

(2) The power of the director of transportation in 332
acquiring rights-of-way for the state highway system, or the 333
leasing of lands for division or resident district offices, or 334
the leasing of lands or buildings required in the maintenance 335
operations of the department of transportation, or the purchase 336
of real property for garage sites or division or resident 337
district offices, or in preparing plans and specifications for 338
and constructing such buildings as the director may require in 339
the administration of the department; 340

(3) The power of the director of public safety and the 341
registrar of motor vehicles to purchase or lease real property 342
and buildings to be used solely as locations to which a deputy 343

registrar is assigned pursuant to division (B) of section 344
4507.011 of the Revised Code and from which the deputy registrar 345
is to conduct the deputy registrar's business, the power of the 346
director of public safety to purchase or lease real property and 347
buildings to be used as locations for division or district 348
offices as required in the maintenance of operations of the 349
department of public safety, and the power of the superintendent 350
of the state highway patrol in the purchase or leasing of real 351
property and buildings needed by the patrol, to negotiate the 352
sale of real property owned by the patrol, to rent or lease real 353
property owned or leased by the patrol, and to make or cause to 354
be made repairs to all property owned or under the control of 355
the patrol; 356

(4) The power of the division of liquor control in the 357
leasing or purchasing of retail outlets and warehouse facilities 358
for the use of the division; 359

(5) The power of the director of development to enter into 360
leases of real property, buildings, and office space to be used 361
solely as locations for the state's foreign offices to carry out 362
the purposes of section 122.05 of the Revised Code; 363

(6) The power of the director of environmental protection 364
to enter into environmental covenants, to grant and accept 365
easements, or to sell property pursuant to division (G) of 366
section 3745.01 of the Revised Code; 367

(7) The power of the department of public safety under 368
section 5502.01 of the Revised Code to direct security measures 369
and operations for the Vern Riffe center and the James A. Rhodes 370
state office tower. The department of administrative services 371
shall implement all security measures and operations at the Vern 372
Riffe center and the James A. Rhodes state office tower as 373

directed by the department of public safety. 374

(C) Purchases for, and the custody and repair of, 375
buildings under the management and control of the capitol square 376
review and advisory board, the opportunities for Ohioans with 377
disabilities agency, the bureau of workers' compensation, or the 378
departments of public safety, job and family services, ~~mental-~~ 379
~~health and addiction services~~ behavioral health, developmental 380
disabilities, and rehabilitation and correction; buildings of 381
educational and benevolent institutions under the management and 382
control of boards of trustees; and purchases or leases for, and 383
the custody and repair of, office space used for the purposes of 384
any agency of the legislative branch of state government are not 385
subject to the control and jurisdiction of the department of 386
administrative services. 387

An agency of the legislative branch of state government 388
that uses office space in a building under the management and 389
control of the department of administrative services may 390
exercise the agency's authority to improve the agency's office 391
space as authorized under this division only if, upon review, 392
the department of administrative services concludes the proposed 393
improvements do not adversely impact the structural integrity of 394
the building. 395

If an agency of the legislative branch of state 396
government, except the capitol square review and advisory board, 397
so requests, the agency and the director of administrative 398
services may enter into a contract under which the department of 399
administrative services agrees to perform any services requested 400
by the agency that the department is authorized under this 401
section to perform. In performing such services, the department 402
shall not use competitive selection. As used in this division, 403

"competitive selection" has the meaning defined in section 404
125.01 of the Revised Code and includes any other type of 405
competitive process for the selection of persons producing or 406
dealing in the services to be provided. 407

(D) Any instrument by which real property is acquired 408
pursuant to this section shall identify the agency of the state 409
that has the use and benefit of the real property as specified 410
in section 5301.012 of the Revised Code. 411

Sec. 123.012. (A) The department of administrative 412
services, with controlling board approval, may enter into an 413
enhanced lease agreement, with a private entity, in accordance 414
with division (A) (5) (c) of section 123.01 of the Revised Code. 415
The agreement may permit the private entity to utilize 416
unproductive and unused state real property under the control of 417
a state agency or a university or under the custody of the 418
adjutant general. The agreement must set forth all of the 419
following: 420

(1) The authorized use of the land, which shall include 421
one of the following; 422

(a) To conduct commercial activity; 423

(b) To conduct research contemplated to advance a state 424
economic interest; 425

(c) To support a public-private partnership for the 426
purposes of divisions (A) (1) (a) and (b) of this section. 427

(2) The lease value; 428

(3) Whether the lease payments will include in-kind 429
services that benefit the state, such as infrastructure 430
improvements on the property; 431

(4) Any construction, demolition, or redevelopment that 432
will be completed on the property under the lease agreement; 433

(5) Any requirements deemed prudent by the director of 434
administrative services, or required by state and federal law, 435
with respect to development of state property, environmental 436
review, security review, public transparency, and fair market 437
value assessment. 438

(B) An enhanced lease agreement under this section shall 439
not do either of the following: 440

(1) Specify a term in excess of ninety-nine years; 441

(2) Authorize construction, demolition, or redevelopment 442
on the property, or authorize any commercial or research 443
activity, that might interfere with core government or military 444
functions that may occur on adjacent state property. 445

(C) An enhanced lease agreement under this section shall 446
provide that at the end of the lease period the buildings, 447
structures, and related improvements, together with the land on 448
which they are situated, become the property of the state 449
without cost. 450

Sec. 123.17. (A) (1) The ~~department~~ board of administrative 451
services trustees of a state university may lease land belonging 452
to or under the control or jurisdiction of a ~~the~~ state 453
university, not required nor to be required for use of the 454
university, to a developer or developers in accordance with this 455
section. 456

(2) The adjutant general may lease land belonging to or 457
under the control or jurisdiction of the adjutant general, not 458
required nor to be required for use of the Ohio organized 459
militia, to a developer or developers in accordance with this 460

section. 461

"Developer," as used in this section, means a person, 462
partnership, association, corporation, or community improvement 463
corporation established pursuant to Chapter 1724. of the Revised 464
Code who or which submits a development plan to the ~~department~~ 465
board of trustees or the adjutant general as provided in this 466
section and requests the ~~department~~ board or adjutant general to 467
enter into a lease. 468

~~Such a~~ (B) A lease of university land under this section 469
shall be for the purpose of development of the land by 470
establishing, constructing, altering, repairing, expanding, ~~and~~ 471
or improving industrial, distribution, commercial, ~~or retail,~~ 472
residential, institutional, recreational, conservation, 473
research, or other types of facilities. A developer desiring to 474
lease land ~~of the university~~ under this section for such 475
development shall prepare and submit ~~to the department of~~ 476
~~administrative services and~~ to the board of trustees of the 477
university or the adjutant general a plan for such development. 478
Plans shall include provisions for roads, streets, sewers, water 479
lines, waste disposal, water supply, and similar matters to meet 480
the requirements of state and local laws. The plans shall also 481
include provision for protection of the property by insurance or 482
otherwise and plans for financing the development, and shall set 483
forth details of the developer's financial responsibility. 484

(C) The department of administrative services state 485
university or the adjutant general may employ as employees or 486
consultants, persons needed to assist it in reviewing the 487
development plans. Such persons may include attorneys, financial 488
experts, engineers, and other necessary experts. The ~~department~~ 489
~~of administrative services~~ board of trustees or the adjutant 490

general shall review the development plans and may enter into a 491
lease or instruct the department of administrative services to 492
enter into a lease if ~~it~~ the board or adjutant general finds 493
that: 494

~~(A)~~ (1) The best interests of the university or the Ohio 495
organized militia will be promoted by entering into a lease with 496
the developer. 497

~~(B)~~ (2) The development plans are satisfactory. 498

~~(C)~~ (3) The developer has established the developer's 499
financial responsibility and satisfactory plans for financing 500
the development. 501

(D) The ~~university~~ board of trustees, ~~approves the lease.~~ 502

~~A lease may be entered into the~~ adjutant general, or the 503
department of administrative services if requested by the board 504
of trustees or the adjutant general, shall enter into a lease 505
pursuant to this section for a term and an annual rent agreed to 506
between the ~~department~~ board of trustees and the developer for a 507
maximum term of forty years ~~and~~, which may be renewed for a 508
like or lesser term. The lease shall contain a provision that 509
construction of buildings, structures, roads, and other 510
necessary facilities ~~shall begin within one year after the date~~ 511
~~of the lease and~~ shall proceed according to a schedule agreed to 512
between the ~~department~~ board of trustees or adjutant general and 513
the developer or the lease will be terminated. 514

(E) Moneys received by the state pursuant to such leases 515
shall be paid into the state treasury as an addition to the 516
appropriation made to the university, or as an addition to the 517
appropriation made to the adjutant general, as the case may be, 518
which has control or jurisdiction of the land or to which the 519

land belongs. 520

Sec. 5913.09. (A) The adjutant general is the custodian of 521
all military and other adjutant general's department property, 522
both real and personal, belonging to the state. 523

(B) The adjutant general may make changes and improvements 524
to military and other adjutant general's department property as 525
the needs of the state and federal government and the exigencies 526
of the service require. All improvements made upon that property 527
belonging to the state, from moneys received either all or in 528
part from the state or federal government, or both, become the 529
property of the state, except as may be provided in an agreement 530
and corresponding regulations by which the United States 531
contributes to the cost of an improvement. 532

(C) (1) In accordance with applicable state and federal law 533
and regulations, the adjutant general, with the approval of the 534
governor, may acquire by purchase, lease, license, or otherwise, 535
real and personal property necessary for the purposes of the 536
department. 537

(2) In accordance with applicable state and federal law 538
and regulations, the adjutant general, with the approval of the 539
attorney general, may enter into contracts for the construction, 540
repair, renovation, maintenance, and operation of military or 541
other adjutant general's department property. 542

~~(3)~~ (3) (a) In accordance with applicable state and federal 543
law and regulations, the adjutant general, with the approval of 544
the governor, may lease or exchange all or part of any military 545
or other adjutant general's department property or grant 546
easements or licenses, if the lease, exchange, easement, or 547
license is advantageous to the state. 548

(b) The adjutant general may authorize the director of 549
administrative services to lease property under the custody of 550
the adjutant general in accordance with section 123.012 or 551
123.17 of the Revised Code. 552

(4) All real property of the adjutant general's department 553
shall be sold in accordance with section 5911.10 of the Revised 554
Code. 555

(D) (1) Except as otherwise provided in this section, all 556
income from any military or other adjutant general's department 557
property of the state, not made a portion of the company, troop, 558
battery, detachment, squadron, or other organization funds by 559
regulations, shall be credited to the funds for the operation 560
and maintenance of the Ohio organized militia, as the adjutant 561
general directs, in accordance with applicable state and federal 562
law and regulations and the agreements by which the United 563
States contributes to the cost of operation and maintenance of 564
the Ohio national guard. 565

(2) There is hereby created in the state treasury the camp 566
Perry/buckeye inn operations fund. The fund shall consist of all 567
amounts received as revenue from the rental of facilities 568
located at the camp Perry training site in Ottawa county and the 569
buckeye inn at Rickenbacker air national guard base in Franklin 570
county, and all amounts received from the use of the camp Perry 571
training site and its facilities, including shooting ranges. The 572
moneys in the fund shall be used to support the facility 573
operations of the camp Perry clubhouse and the buckeye inn. 574
Investment earnings of the fund shall be credited to the general 575
revenue fund. 576

Section 2. That existing sections 123.01, 123.17, and 577
5913.09 of the Revised Code are hereby repealed. 578

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| Section 3. This act shall be known as the Advancing | 579 |
| Strategic State and Military Asset Efficiency and Transformation | 580 |
| (ASSET) Act. | 581 |