

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 983

Representatives Gross, Teska

Cosponsors: Representatives Barhorst, Mullins, Dean, Swearingen

To amend section 9.66 and to enact sections 1
3744.01, 3744.02, 3744.03, 3744.04, 3744.041, 2
3744.042, 3744.05, 3744.06, 3744.061, 3744.062, 3
3744.07, 3744.08, 3744.09, 3744.10, 3744.11, and 4
3744.12 of the Revised Code to impose various 5
requirements concerning data centers, to name 6
this act the Data Center Accountability and 7
Citizen Protection Act, and to declare an 8
emergency. 9

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

Section 1. That section 9.66 be amended and sections 10
3744.01, 3744.02, 3744.03, 3744.04, 3744.041, 3744.042, 3744.05, 11
3744.06, 3744.061, 3744.062, 3744.07, 3744.08, 3744.09, 3744.10, 12
3744.11, and 3744.12 of the Revised Code be enacted to read as 13
follows: 14

Sec. 9.66. (A) As used in this section: 15

(1) "Economic development assistance" means all of the 16
following: 17

(a) The programs and assistance provided or administered 18
by the department of development under Chapters 122. and 166. of 19

the Revised Code and any other section of the Revised Code under 20
which the department provides or administers economic 21
development assistance; 22

(b) The programs and assistance provided or administered 23
by a political subdivision under Chapters 725. and 1728. and 24
sections 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 25
5709.69, 5709.73 to 5709.75, and 5709.77 to 5709.81 of the 26
Revised Code and any other section of the Revised Code under 27
which a political subdivision provides economic development 28
assistance; 29

(c) Assistance provided under any other section of the 30
Revised Code under which the state or a state agency provides or 31
administers economic development assistance; 32

(d) The tax credit authorized by section 5725.31, 5729.07, 33
or 5733.42 of the Revised Code. 34

(2) "Liability" means any of the following: 35

(a) Any delinquent tax owed the state or a political 36
subdivision of the state; 37

(b) Any moneys owed the state or a state agency for the 38
administration or enforcement of the environmental laws of the 39
state; 40

(c) Any other moneys owed the state, a state agency, or a 41
political subdivision of the state that are past due. 42

"Liability" includes any item described in division (A) (2) 43
of this section that is being contested in a court of law. 44

(3) "Political subdivision" means any county, municipal 45
corporation, or township of the state. 46

(4) "State agency" means every organized body, office, or 47
agency established by the laws of the state for the exercise of 48
any function of state government. 49

(B) A person who applies to the state, a state agency, or 50
a political subdivision for economic development assistance 51
shall indicate on the application for assistance whether the 52
person has any outstanding liabilities owed to the state, a 53
state agency, or a political subdivision. Such a person also 54
shall authorize the state, state agency, or political 55
subdivision to inspect the personal or corporate financial 56
statements of the applicant, including tax records and other 57
similar information not open to public inspection. 58

(C) (1) Whoever knowingly makes a false statement under 59
division (B) of this section concerning an application for 60
economic development assistance or who fails to provide any 61
information required by that division is ineligible for the 62
assistance applied for and is ineligible for any future economic 63
development assistance from the state, a state agency, or a 64
political subdivision. 65

(2) Whoever knowingly makes a false statement under 66
division (B) of this section concerning an application for 67
economic development assistance or who fails to provide any 68
information required by that division shall return any moneys 69
received from the state, a state agency, or a political 70
subdivision in connection with that application. 71

~~(D)~~ (D) (1) Individualized compensation and payroll 72
information submitted to a political subdivision, a port 73
authority created under Chapter 4582. of the Revised Code, or a 74
tax incentive review council created under section 5709.85 of 75
the Revised Code, from an applicant or recipient of economic 76

development assistance, or of any grant, subgrant, exemption, 77
credit, loan, award, cooperative agreement, or other similar and 78
related form of financial assistance, and any information taken 79
for any purpose from that information, is confidential and not a 80
public record under section 149.43 of the Revised Code. However, 81
the political subdivision, port authority, or tax incentive 82
review council may use that information to the extent required 83
to secure approval of an application, to verify information 84
related to an applicant or recipient, and to comply with 85
specific mandates imposed under the Revised Code, provided that 86
under no circumstance shall the political subdivision, port 87
authority, or tax incentive review council publicly disclose 88
information, with respect to an applicant or a recipient, 89
whether anonymized or not anonymized, that is not a public 90
record open to public inspection. 91

(2) Division (D)(1) of this section does not apply to any 92
development and supply agreement related to a data center or 93
associated power generating facility. 94

Sec. 3744.01. As used in this chapter: 95

"Associated power generating facility" means an electric 96
generating facility built primarily to supply electricity to a 97
data center. 98

"Closed loop system" means a sealed cooling or heat- 99
removal system in which the fluid being cooled or heated does 100
not come into contact with the ambient atmosphere and such 101
system does not expose, emit, or discharge air, water vapor, or 102
wastewater discharge generated by the cooling or heat removal 103
process directly to the ambient atmosphere, including outdoor 104
air, water, or soils, except during scheduled maintenance or 105
repairs. 106

"Data center" means one or more buildings or physical facilities or infrastructure, located on a single real property parcel or on contiguous, adjacent, or otherwise aggregated real property parcels that are used primarily or exclusively for digital information services such as the management, storage, processing, and dissemination of electronic data and information through the use of computer systems, servers, networking equipment, and related components, including equipment cooling systems, or virtual currency mining that has a peak electric load exceeding one megawatt. 107
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"Expanded data center" means an existing data center that seeks to expand one or more buildings or physical facilities or infrastructure to house data center server components with a peak electric load exceeding one megawatt. "Expanded" does not include expansions that are needed to meet state requirements for building an on-site water treatment facility appropriately sized to meet state wastewater discharge requirements. 117
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"Open loop system" means a cooling or heat-removal system that directly exposes, emits, or discharges air, water vapors, or wastewater discharge created by cooling or heat removal processes to the ambient atmosphere, including outdoor air, water, or soils. 124
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"Pilot scale test results" means results of a study conducted in a laboratory or other setting wherein the capacity of the equipment is a fraction of what the results of the full scale facility would be. 129
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"Voter-approved data center" means a data center that has been approved by a vote in accordance with section 3744.02 of the Revised Code. 133
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Sec. 3744.02. (A) A citizen vote is required before any 136
new or expanded data center, including the associated power 137
generating facility, may be approved in any city, village, or 138
township located within five miles of the perimeter of the 139
proposed new or expanded data center. 140

(B) The owner of a data center shall submit a written 141
request for approval to the legislative authority of the city or 142
village, or the board of township trustees of the township, in 143
which the proposed new or expanded data center is to be located. 144
The owner shall include a plain description of the facility 145
type, size, location, and associated power generating 146
infrastructure and details of the closed loop systems for both 147
the data center and the associated power generating facility as 148
well as projected noise and light emission levels and range of 149
reach. The owner may include benefits that the data center 150
wishes to offer to residents in the community. 151

(C) The legislative authority or board of township 152
trustees shall certify the question of the proposed new or 153
expanded data center to the board of elections of the county in 154
which the proposed new or expanded data center is to be located 155
and to the board of elections of any county containing a city, 156
village, or township that is located within five miles of the 157
perimeter of the proposed data center. The legislative authority 158
or board of township trustees shall include the information 159
provided by the owner of the data center under division (B) of 160
this section. The board of elections shall submit the question 161
to the electors of each city, village, or township located 162
within five miles of the perimeter of the proposed data center 163
at the next special or general election held at least ninety 164
days after the question is certified to the board of elections. 165

(D) A simple majority of votes cast is required for 166
approval. 167

(E) The ballot shall plainly describe the facility type, 168
size, location, and associated power generating infrastructure 169
and details of the closed loop systems for both the data center 170
facility and the associated power generating facility as well as 171
projected noise and light emission level and range of reach 172
shall be described in plain language on the ballot description 173
and be accessible to all voters on the local board of elections 174
web site not later than thirty days before the election. Any 175
benefits that the owner of the data center wishes to offer to 176
residents in the community may be listed in the ballot 177
description. 178

(F) Except as provided in division (K) of this section, 179
the vote shall occur before any permit, zoning approval, or 180
development and supply agreement is executed. Any approvals or 181
permits granted without a completed citizen vote is void. 182

(G) If a data center is proposed in a county, township, or 183
municipal corporation that has zoning or other regulations in 184
place applicable to data centers, approval under this section is 185
required before and in addition to the application of those 186
regulations. Approval under this section does not guarantee the 187
data center may operate in the county, township, or municipal 188
corporation. A county, township, or municipal corporation may 189
impose its zoning and other regulations as provided by law. 190

(H) No emergency order, administrative action, or 191
development agreement may substitute for or circumvent the 192
citizen vote. 193

(I) If a data center is rejected by voters then the owner 194

of the data center may not resubmit the data center for voter 195
approval for two years from the date of the election at which 196
the voters rejected the data center. 197

(J) Any member of a city council, village council, or 198
township board who authorizes data center development or 199
expansion to begin without approval by the electors under this 200
section is guilty of misconduct in office under section 3.07 of 201
the Revised Code. Any member of a zoning board who authorizes 202
data center development or expansion to begin without a 203
completed citizen vote is subject to immediate removal from 204
office. 205

(K) This section does not apply to a new or expanded data 206
center that is already under active construction and that has 207
been issued all required permits before the effective date of 208
this section. The owner of a data center that has been issued 209
all required permits but has not begun active construction on 210
the effective date of this section shall be required to cease 211
construction until after the data center receives voter approval 212
under this section. If the new or expanded data center is 213
approved by voters as required under this section, any permits 214
previously issued by the director of environmental protection 215
remain valid so long as the data center is in compliance with 216
all applicable federal and state wastewater discharge and air 217
emissions regulations and is in compliance with the terms and 218
conditions of such permits. 219

Sec. 3744.03. (A) In addition to air emission and 220
wastewater discharge standards established under Chapters 3704. 221
and 6111. of the Revised Code, as applicable, and not later than 222
one year after the effective date of this section, the director 223
of environmental protection shall adopt rules in accordance with 224

Chapter 119. of the Revised Code that establish state air 225
emission and wastewater discharge safety standards and limits 226
for data centers and associated power generating facilities. 227
Such rules shall establish all of the following: 228

(1) Standards and requirements concerning the discharge or 229
 emission of all nonregulated metals, glycols, and organics, 230
 including per- and polyfluoroalkyl substances, that are used in 231
 or produced by the cooling systems and cooling towers of a data 232
 center, any associated power generating equipment, and any 233
 associated power generating facility or are present in any 234
 wastewater discharged by a data center or facility; 235

(2) Requirements concerning wastewater discharge sampling 236
 and testing and air emissions sampling and testing; 237

(3) Requirements concerning attached air cleaning and 238
 emissions control facilities; 239

(4) Standards and requirements governing a data center and 240
 an associated power generating facility's use of best available 241
 control technology; 242

(5) Any other requirements or limits that the director 243
 deems necessary to ensure the protection of air and water 244
 quality in this state. 245

(B) The director shall make such standards and limits 246
 established under division (A) of this section publicly 247
 available on the environmental protection agency's web site. 248

(C) The director shall not, under any circumstances, issue 249
 any operating, discharge, or emissions permit to a data center 250
 or associated power generating facility that does not meet the 251
 standards adopted in rules by the director pursuant to division 252
 (A) of this section. The director also shall not grant a data 253

center or associated power generating facility any waivers or 254
exemptions from meeting such standards. 255

Sec. 3744.04. (A) As used in this section and sections 256
3744.041 and 3744.042 of the Revised Code: 257

(1) "Existing data center" means a data center operating 258
in this state that was in operation prior to the effective date 259
of this section. 260

(2) "Existing associated power generating facility" means 261
any associated power generating facility of a data center 262
operating in this state that was in operation prior to the 263
effective date of this section. 264

(B) Beginning eighteen months after the effective date of 265
this section, no owner of an existing data center shall do 266
either of the following: 267

(1) Discharge any wastewater unless the data center has 268
and utilizes an attached wastewater treatment facility that 269
ensures compliance with wastewater discharge requirements for 270
the data center, any associated power generating facility, and 271
any associated power generating equipment; 272

(2) Operate the data center unless the data center, any 273
associated power generating facility, and any associated power 274
generating equipment uses the best available control technology 275
for removal of metals and organics, including per- and 276
polyfluoroalkyl substances. Technologies such as activated 277
carbon and ion exchange shall be considered in the best 278
available control technology review process. 279

(C) Beginning eighteen months after the effective date of 280
this section, an existing data center owner shall ensure that 281
the data center and any associated power generating facility is 282

in compliance with all air emissions and wastewater discharge 283
safety standards and limits specified in this chapter and rules 284
adopted under it, and such owner is subject to applicable 285
penalties for violations, including those specified in section 286
3744.08 and Chapters 3704. and 6111. of the Revised Code. 287

(D) Beginning eighteen months after the effective date of 288
this section, the director of environmental protection shall 289
revoke any operating, discharge, or emissions permit issued by 290
the director to an existing data center or an existing 291
associated power generating facility if both of the following 292
apply: 293

(1) The data center or its associated power generating 294
facility operates an open loop system; 295

(2) The data center or its associated power generating 296
facility is not in compliance with division (B) of this section 297
or any air emissions or wastewater discharge safety standards or 298
limits established under this chapter, rules adopted under it, 299
or any term or condition of a permit issued by the director. 300

Sec. 3744.041. (A) An owner of an existing data center 301
that operates using an open loop system shall do both of the 302
following regarding air emissions: 303

(1) Complete an independent air quality and public health 304
impact assessment not later than ninety days after the effective 305
date of this section and annually thereafter; 306

(2) Conduct independent biologic testing for cooling tower 307
emissions for data centers and attached power generating 308
facilities once during May or June and again during September or 309
October. 310

(B) The entity that conducts the assessments and testing 311

pursuant to divisions (A) (1) and (2) of this section shall be 312
selected and supervised by the director of environmental 313
protection. 314

(C) The results of the assessments and testing conducted 315
pursuant to division (A) of this section shall be submitted to 316
the director not later than thirty days after completion. The 317
director shall promptly publicly post such results on the 318
environmental protection agency's web site. 319

(D) All assessment and testing costs incurred shall be 320
paid entirely by the data center owner. 321

Sec. 3744.042. Not later than eighteen months after the 322
effective date of this section, the owner of any existing 323
associated power generating facility that operates using an open 324
loop system shall install and utilize attached air cleaning and 325
emissions control facilities in accordance with rules adopted 326
under section 3744.03 of the Revised Code. 327

Sec. 3744.05. (A) The director of environmental protection 328
shall not issue an operating, discharge, or emissions permit to 329
a voter-approved new or expanded data center or to an associated 330
power generating facility, including a combustion turbine, 331
natural gas plant, or any other electric generating facility 332
built primarily to serve a data center, unless both of the 333
following apply: 334

(1) The data center and any associated power generating 335
facility utilizes a closed loop system for both the data center 336
and the facility; 337

(2) The data center and any associated power generating 338
facility is in compliance with this chapter and rules adopted 339
under it, including any wastewater discharge or air emissions 340

testing requirements. 341

(B) No owner of a voter-approved data center shall allow 342
operation of the data center unless the data center has and 343
utilizes an attached wastewater treatment facility that ensures 344
compliance with wastewater discharge requirements for the data 345
center, any associated power generating facility, and any 346
associated power generating equipment. 347

(C) The director shall not issue a permit to install in 348
accordance with Chapter 6111. of the Revised Code for a voter- 349
approved data center or for an associated power generating 350
facility, unless the owner of the data center submits to the 351
director, in a manner established by the director, a plan that 352
describes the design and amount of expected wastewater 353
discharges. 354

(D) Upon completion of the construction of a voter- 355
approved data center, the owner of the data center shall conduct 356
wastewater discharge testing, including testing for any 357
associated power generating facility, in accordance with rules 358
adopted by the director. Results of such testing shall be 359
provided to the director before the director issues the data 360
center or facility an NPDES permit and before full operations 361
commence. 362

(E) At every point in the design, commissioning, and 363
operation of a voter-approved data center or an associated power 364
generating facility, any required wastewater discharge or air 365
emissions testing results shall be authenticated with the 366
signature of the chief executive officer of the data center. 367
False certification of a pilot scale test result for wastewater 368
discharge or air emissions submitted to the director constitutes 369
falsification under section 2921.13 of the Revised Code and the 370

chief executive officer shall be subject to criminal 371
prosecution. 372

(F) The owner of a voter-approved data center shall do 373
both of the following with respect to the data center and any 374
associated power generating facility: 375

(1) Use best available control technology; 376

(2) Minimize water consumption utilizing best available 377
methodologies. 378

(G) The owner of a voter-approved data center is subject 379
to applicable penalties, including those specified in section 380
3744.08 and Chapters 3704. and 6111. of the Revised Code, for 381
violations of this chapter, rules adopted under it, and for 382
violation of any term or condition of any issued permit. 383

Sec. 3744.06. If the director of environmental protection 384
issues a permit to install in accordance with Chapter 3704. or 385
6111. of the Revised Code to a data center or associated power 386
generating facility, the director shall specify, in such permit, 387
both of the following: 388

(A) All applicable wastewater discharge limits or air 389
emissions limits for the data center or facility, as applicable, 390
including wastewater discharge limits or air emissions limits 391
concerning any chemicals that were previously non-regulated 392
chemicals; 393

(B) That, if the owner of the data center or the owner of 394
the facility does not ensure that the data center or facility 395
complies with any such regulation or limit, the owner of the 396
data center or the owner of the facility is subject to 397
applicable penalties for violations, including those specified 398
in section 3744.08 and Chapters 3704. and 6111. of the Revised 399

Code. 400

Sec. 3744.061. (A) A data center owner shall disclose all 401
chemicals, cooling agents, and wastewater treatment substances 402
that will be used in the data center and the associated power 403
generating facility, the concentrations of such chemicals, 404
agents, and substances, and any changes in the chemicals, 405
agents, or substances to both of the following: 406

(1) The director of environmental protection; 407

(2) The legislative authority of the municipal corporation 408
or township in which any part of the parcel or parcels on which 409
the data center is located. 410

(B) The director and the legislative authority of the 411
municipal corporation or township in which any part of the 412
parcel or parcels on which a data center is located shall 413
publicly disclose on its respective web site the disclosed 414
chemicals, agents, and substances submitted under division (D) 415
(1) of this section before the data center begins operations and 416
prior to the implementation of any change in the chemicals, 417
agents, or substances used. 418

(C) All wastewater discharged from a data center and any 419
associated power generating facility shall meet the wastewater 420
safety and discharge standards established by the director in 421
rules adopted under section 3744.03 of the Revised Code for all 422
chemicals contained in wastewater discharge prior to its 423
discharge. 424

(D) (1) An independent third-party water testing company 425
selected and supervised by the director shall conduct testing 426
before any wastewater discharge or wastewater recycling. 427

(2) A data center owner shall submit, in a manner 428

established by the director, all wastewater testing results to 429
the director not later than thirty days after testing. 430

(3) The director shall publicly disclose such testing 431
results on the environmental protection agency's web site not 432
later than thirty days after the results are submitted to the 433
director. 434

(E) All costs for wastewater testing, assessment, and 435
monitoring shall be paid entirely by the data center owner. 436

Sec. 3744.062. (A) A data center owner shall install 437
meters that monitor the levels of chemical additives in non- 438
contact water supplies. 439

(B) In accordance with rules adopted under section 3744.03 440
of the Revised Code, the owner of an operating data center shall 441
conduct sampling of wastewater discharge and air emissions on a 442
weekly basis and shall adjust chemical levels accordingly. 443
However, a data center owner may choose to continuously conduct 444
such sampling. For an associated power generating facility's 445
cooling emissions, sampling shall be conducted during spring and 446
fall to ensure the control of biologics, including Legionella. 447

Sec. 3744.07. (A) If a data center or an associated power 448
generating facility places a burden on the local water supply 449
that reduces water pressure or water supply to any residence or 450
business within a five-mile radius of the perimeter of the data 451
center, the data center owner shall bear full financial 452
responsibility for all costs of correcting that impact and shall 453
pay a fine equal to five thousand dollars per day until the 454
burden is resolved and corrected. These costs include, but are 455
not limited to, all of the following: 456

(1) All costs of designing, engineering, permitting, and 457

constructing any water infrastructure upgrades required to 458
restore adequate water pressure; 459

(2) All costs of constructing water towers or storage 460
facilities required to restore adequate water pressure; 461

(3) All costs of providing temporary water supply measures 462
during the construction or operations of a data center or an 463
associated power generating facility; 464

(4) All costs related to negative impacts on aquifers that 465
supply water to private and public entities; 466

(5) Full reimbursement to any municipal corporation, 467
township, or other water district for expenditures made to 468
address water supply or water pressure impacts caused by a data 469
center or an associated power generating facility. 470

(B) The owner of a data center shall take water pressure 471
and water supply measurements of the applicable local water 472
supply prior to the construction of the data center and the 473
associated power generating facility. Such measurements shall be 474
the baseline measurements, and the data center owner shall 475
submit these baseline measurements to the department of natural 476
resources' chief of the division of water resources. 477

(C) For the purposes of administering and enforcing this 478
section, a rebuttable presumption is created that the owner of a 479
data center is responsible for the burden placed on a local 480
water supply if, at any time, within a five-mile radius of a 481
data center or an associated power generating facility the water 482
pressure and water supply measurements are lower than the 483
baseline measurements submitted to the chief under division (B) 484
of this section. The owner may rebut the presumption and bears 485
the full burden of proving that the data center, the associated 486

power generating facility, or both, are not responsible for the
burden.

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Sec. 3744.08. (A) (1) The director of environmental
protection shall issue a written warning to a data center owner
for exceeding any federal or state regulatory wastewater
discharge or air emissions standards or limits, including any
newly established regulatory wastewater discharge or air
emissions standards established by the director for previously
unregulated chemicals.

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(2) A data center owner shall correct exceedances not
later than ten business days after first exceeding a discharge
or emissions limit.

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(3) The data center owner shall report the exceedances and
corrective actions taken by the data center owner to the
director not later than ten business days after first exceeding
a discharge or emissions limit.

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(4) The data center owner shall pay a fine of not less
than ten thousand dollars a day for such noncompliance until
compliant. This fine shall be collected by the director and
evenly disbursed to any municipal corporation or township
located within a five-mile radius of the data center that is in
violation of the established safe discharge or emissions levels.
Any such disbursement shall be paid into the municipal
corporation's or township's general fund, as applicable.

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(B) (1) If the data center is not compliant with division
(A) of this section after ten days, the owner shall pay an
increased daily fine equal to twenty-five thousand dollars until
it reaches compliance. This fine shall be collected by the
director and evenly disbursed to any municipal corporation or

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township located within a five-mile radius of the data center 516
that is in violation of the established safe discharge or 517
emissions levels. Any such disbursement shall be paid into the 518
municipal corporation's or township's general fund, as 519
applicable. 520

(2) The director shall issue a written notice to the data 521
center owner that all operating permits issued by the director 522
to the data center will be revoked if its discharges or 523
emissions are not compliant within thirty days. 524

(3) After thirty days of receiving notice under division 525
(B) (2) of this section, if the data center or associated power 526
generating facility is not in compliance with all applicable 527
federal safety requirements and state safety requirements 528
concerning wastewater discharge as determined by the director, 529
then the director shall revoke the facility's NPDES permit 530
issued under Chapter 6111. of the Revised Code. 531

(4) After thirty days of receiving notice under division 532
(B) (2) of this section, if the data center or associated power 533
generating facility is not in compliance with all applicable 534
federal safety requirements and state safety requirements 535
concerning air emissions as determined by the director, then the 536
director shall revoke the facility's permit to operate issued 537
under Chapter 3704. of the Revised Code. 538

Sec. 3744.09. (A) Beginning on the effective date of this 539
section, all voter-approved data centers and the expanded 540
portions of expanded data centers shall generate one hundred per 541
cent of their own electricity through on-site or off-grid 542
associated power generating facilities. 543

(B) All voter-approved data centers, associated power 544

generating facilities, and the expanded portions of expanded 545
data centers, after the effective date of this section, shall be 546
built and operated fully independently of the public grid. 547

(C) For all voter-approved data centers, associated power 548
generating facilities, and the expanded portions of expanded 549
data centers, the Ohio ratepayers shall bear no cost associated 550
with data center power generation or grid infrastructure under 551
any circumstances. 552

Sec. 3744.10. Full public disclosure of all development 553
and supply agreements is required. All such agreements are 554
public records subject to section 149.43 of the Revised Code 555
without exception. Division (D)(1) of section 9.66 of the 556
Revised Code does not apply to any development and supply 557
agreement related to a data center or associated power 558
generating facility. No public official may be penalized for 559
disclosing information about any such agreement. Any agreement 560
related to data center development or supply in effect before 561
the passage of this act shall be void after its passage and that 562
information shall be available through public records request. 563

Sec. 3744.11. No person who participated in drafting or 564
revising Ohio power siting board rules or public utilities 565
commission of Ohio rules may represent any applicant before 566
those bodies for three years. 567

No person who represented a data center or associated 568
power generating facility applicant may take any position at the 569
Ohio power siting board, public utilities commission of Ohio, or 570
any related state agency for three years. 571

Sec. 3744.12. (A) As used in this section, "local tax 572
incentive" means the programs and assistance provided or 573

administered by a political subdivision under Chapters 725. and 574
1728. and sections 3735.67 to 3735.70, 5709.40 to 5709.43, 575
5709.61 to 5709.69, 5709.73 to 5709.75, and 5709.77 to 5709.81 576
of the Revised Code and any other section of the Revised Code 577
under which a political subdivision authorizes the exemption of 578
property from taxation, whether in whole or in part. 579

(B) No political subdivision shall authorize a local tax 580
incentive for a data center or associated power generating 581
facility on or after the effective date of this section. A local 582
tax incentive authorized in violation of this division is void. 583

(C) Neither the tax commissioner nor any county auditor 584
shall approve an application for tax exemption for a data center 585
or associated power generating facility pursuant to section 586
5715.27 of the Revised Code on or after the effective date of 587
this section. 588

Section 2. That existing section 9.66 of the Revised Code 589
is hereby repealed. 590

Section 3. This act shall be known as the Data Center 591
Accountability and Citizen Protection Act. 592

Section 4. This act is hereby declared to be an emergency 593
measure necessary for the immediate preservation of the public 594
peace, health, and safety. The reason for such necessity is to 595
preserve the rights of Ohio citizens and local communities to 596
participate in decisions regarding rapidly developing and 597
expanding data centers and associated power infrastructure 598
projects before irreversible development approvals and 599
construction occurs. Therefore, this act shall go into immediate 600
effect. 601