

_____ moved to amend as follows:

In line 102, delete "compensate" and insert "do one or both of the
following, as applicable:" 1 2

(i) Compensate" 3

In line 106, after "section" insert ";" 4

(ii) In the case of a megaproject described in division
(A) (11) (a) (ii) of this section, provide benefits to the
project's employees at a level that minimizes the dependence of
such employees upon public assistance, as defined in section
323.16 of the Revised Code" 5 6 7 8 9

In line 136, delete "following"; after "requirements" insert
"described in divisions (A) (13) (a) and (b) of this section and, if
applicable, the requirement described in division (A) (13) (c) of this
section" 10 11 12 13

After line 163, insert: 14

"(c) In the case of a megaproject supplier of a
megaproject described in division (A) (11) (a) (ii) of this" 15 16



section, the supplier agrees, in an agreement with the tax 17
credit authority under division (D) of this section, to meet 18
both of the requirements described in divisions (A) (11) (b) (i) 19
and (ii) of this section with respect to the supplier's 20
employees that work in connection with the project, on and after 21
the metric evaluation date. 22

(14) "Minority business enterprise" has the same meaning 23
as in section 122.71 of the Revised Code. 24

(15) "Women-owned business" has the same meaning as in 25
section 122.941 of the Revised Code." 26

In line 318, after "(12)" insert "If the taxpayer is a megaproject 27
operator of a megaproject described in division (A) (11) (a) (ii) of this 28
section or megaproject supplier of such a megaproject, a requirement that 29
the taxpayer do both of the following: 30

(a) Commit to a policy of equal employment opportunity and 31
affirm that all employees and applicants for employment will be 32
treated equally without regard to their race, religion, sex, 33
color, national origin, age, disability, sexual orientation, 34
marital status, citizenship, or status as a veteran; 35

(b) Commit to be in full compliance with all federal, 36
state, and local laws. 37

(13) If the taxpayer is a megaproject operator of a 38
megaproject described in division (A) (11) (a) (ii) of this 39
section, a requirement that the taxpayer agrees to do all of the 40
following: 41

(a) Ensure that at least eighty per cent of the new 42
employees employed at the site of the megaproject are 43
individuals who have continuously resided in this state for at 44

least one year before the megaproject operator considered the 45
individuals for employment; 46

(b) Make a good faith effort to hire, or do business with, 47
contractors, subcontractors, suppliers, and other service 48
providers whose residence or principal place of business is in 49
the state, including minority business enterprises and women- 50
owned businesses; 51

(c) Make a good faith effort to purchase materials, 52
supplies, and other items of tangible personal property from 53
individuals and businesses whose residence or principal place of 54
business is in the state, including minority business 55
enterprises and women-owned businesses; 56

(d) Reaffirm the goals articulated in the megaproject 57
operator's corporate responsibility report for 2020 to 2021. 58

(14)" 59

After line 334, insert: 60

"(e) The total capital investment made by the megaproject 61
operator, and any of its related subsidiaries, in the 62
megaproject;" 63

In line 335, delete "(e)" and insert "(f)" 64

In line 336, after "megaproject" insert ","; delete "and"; after 65
"the" insert "number of such employees hired during the reporting year, 66
and the number of such employees who are residents of this state; 67

(g) The"; delete "those" and insert "the"; after 68
"employees" insert "working at the site of the megaproject"; 69
after "reside" insert ", the racial and ethnic origin and gender 70
of such employees, and any other demographic information 71
regarding such employees specified by the director"; after "," 72

insert:	73
<u>"(h) The total wages and benefits paid to all individuals</u>	74
<u>working at the site of the megaproject, including any employees,</u>	75
<u>contractors, or subcontractors;</u>	76
<u>(i) The total amount of funds received by the megaproject</u>	77
<u>operator from any federal, state, or local government with</u>	78
<u>respect to the megaproject, including any grants, tax credits,</u>	79
<u>or other incentives. The report shall categorize the funds</u>	80
<u>received according to source and purpose."</u>	81
In line 337, delete " <u>(f)</u> " and insert " <u>(j)</u> "	82
In line 340, after " <u>year</u> " insert ";"	83
<u>(k) Any other information required by the director"</u>	84
In line 359, after " <u>operator</u> " insert " <u>or megaproject supplier</u> "	85
In line 371, delete " <u>and</u> "	86
In line 373, after " <u>to</u> " insert " <u>or by</u> "	87
In line 374, after " <u>agreement</u> " insert " <u>, as applicable, and (iii)</u>	88
<u>the amount of state or political subdivision funds paid directly or</u>	89
<u>indirectly to the taxpayer as grants or other incentives and, in the case</u>	90
<u>of a megaproject operator, amounts used to fund infrastructure projects</u>	91
<u>benefiting the megaproject"</u>	92
In line 383, delete " <u>and</u> "	93
In line 385, after " <u>to</u> " insert " <u>or by</u> "	94
In line 386, after " <u>agreement</u> " insert " <u>, as applicable, and (iii)</u>	95
<u>the amount of state or political subdivision funds paid directly or</u>	96
<u>indirectly to the taxpayer as grants or other incentives and, in the case</u>	97
<u>of a megaproject operator, amounts used to fund infrastructure projects</u>	98

benefiting the megaproject" 99

After line 707, insert: 100

"(W) The director of development shall create a community inclusion process to receive input and recommendations from citizens and political subdivisions impacted by a megaproject described in division (A) (11) (a) (ii) of this section. In the first year that the director enters into an agreement under division (D) of this section with the megaproject operator of such a megaproject, and in each of the four years thereafter, the director shall organize three hearings per year to accept public testimony and recommendations from citizens and local elected officials relating to schools, housing, transportation, the environment, and any other issue the director determines. On or before the first day of March following each year in which such hearings are held, the director shall compile a report on those hearings and submit the report to the governor, the president and minority leader of the senate, the speaker and minority leader of the house of representatives, and any other officials selected by the director." 101-117

The motion was _____ agreed to.

SYNOPSIS 118

Semiconductor megaproject tax incentives 119

R.C. 122.17 120

Modifies provisions in the pending bill that relate to special tax incentives for a "megaproject" involving a 121-122

semiconductor manufacturing facility, as follows:	123
-- Requires a semiconductor megaproject operator or supplier to provide benefits to project employees at a level which minimizes the dependence of such employees on public assistance. Also extends existing law's requirement that megaproject operators pay employee wages equal to at least 300% of the federal minimum wage to also apply to semiconductor megaproject suppliers.	124 125 126 127 128 129 130
-- Requires a semiconductor megaproject operator to (a) take reasonable steps so that at least 80% of its new hires at the project site are residents who have lived in Ohio for at least one year and (b) to make a good faith effort to do business with contractors and suppliers, and to purchase materials from suppliers, who are residents of, or headquartered in Ohio, including women- and minority-owned businesses.	131 132 133 134 135 136 137
-- Requires a semiconductor megaproject operator or supplier to commit to equal employment opportunity practices.	138 139
-- Expands a provision in the pending bill that requires megaproject operators to file an annual report detailing their purchasing, construction, and employment activity. The amendment requires additional reporting of information relating to the operator's workforce, payroll, state and local funding, and capital investment.	140 141 142 143 144 145
-- Expands a provision in the pending bill that allows the Tax Credit Authority (TCA) to impose recoupment payments on a noncompliant operator of a noncompliant semiconductor megaproject, based on the amount of sales and use tax and CAT incentives granted in connection with the project. The amendment additionally allows the TCA to (a) impose recoupment payments on	146 147 148 149 150 151

semiconductor megaproject suppliers and (b) recoup any direct or 152
indirect payments made to the operator or supplier, such as 153
grants, and infrastructure investment made by both the state and 154
local governments for the benefit of the megaproject. 155

Requires that, during the first five years of the JCTC 156
agreement with a semiconductor megaproject operator, the 157
Director of Development must hold at least three hearings per 158
year to receive input from citizens and local elected officials 159
concerning issues related to the megaproject, including schools, 160
housing, transportation, and the environment. The Director must 161
submit an annual report on the hearings to the Governor and 162
legislative leaders. 163