#### As Introduced

# 132nd General Assembly Regular Session 2017-2018

H. B. No. 549

### **Representative Arndt**

## A BILL

То	amend sections 3314.03, 3317.01, 3326.11, and	1
	3328.24 and to enact section 3313.621 of the	2
	Revised Code to generally require public and	3
	chartered nonpublic schools to open for	4
	instruction after Labor Day.	5

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

<b>Section 1</b> . That sections 3314.03, 3317.01, 3326.11, and	6
3328.24 be amended and section 3313.621 of the Revised Code be	7
enacted to read as follows:	8
Sec. 3313.621. This section does not apply to any school	9
that operates on a year-round basis requiring students to be in	10
attendance throughout the entire school year, including summer	11
but excluding authorized breaks.	12
(A) Beginning in the 2018-2019 school year, except as	13
provided in division (B) or (D) of this section, the board of	14
education of each city, exempted village, local, or joint	15
vocational school district and the governing body of each	16
chartered nonpublic school shall open its schools for	17
instruction with students in attendance after Labor day in any	18
school year Workshops, orientation, or other activities in	1 9

preparation for the opening of school may be held prior to Labor	20
day for teachers, nonteaching employees, or administrators.	21
(B) If a board of education or governing body determines	22
that it is in the best interest of the school, a board or	23
governing body may adopt a resolution that permits a school	24
under its control to open prior to Labor day in any school year.	25
Not later than thirty days prior to adopting such a	26
resolution, the board of education of a city, exempted village,	27
and local school district shall hold a public hearing on the	28
school calendar, addressing opening a school under its control	29
prior to Labor day.	30
(C) Nothing in this section shall be construed to prohibit	31
a school district or chartered nonpublic school from operating a	32
summer school program.	33
(D) Any board of education of a school district that,	34
prior to the effective date of this section, entered into a	35
collective bargaining agreement under Chapter 4117. of the	36
Revised Code that establishes a date prior to Labor day on which	37
the schools of the district will open for instruction with	38
students in attendance shall not be required to comply with this	39
section until the expiration of that agreement. Each collective	40
bargaining agreement entered into or renewed on or after the	41
effective date of this section shall comply with this section.	42
Sec. 3314.03. A copy of every contract entered into under	43
this section shall be filed with the superintendent of public	44
instruction. The department of education shall make available on	45
its web site a copy of every approved, executed contract filed	46
with the superintendent under this section.	47
(A) Each contract entered into between a sponsor and the	48

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governing authority of a community school shall specify the	49
following:	50
(1) That the school shall be established as either of the	51
following:	52
	FO
(a) A nonprofit corporation established under Chapter	53
1702. of the Revised Code, if established prior to April 8, 2003;	54 55
2003;	33
(b) A public benefit corporation established under Chapter	56
1702. of the Revised Code, if established after April 8, 2003.	57
(2) The education program of the school, including the	58
school's mission, the characteristics of the students the school	59
is expected to attract, the ages and grades of students, and the	60
focus of the curriculum;	61
(3) The academic goals to be achieved and the method of	62
measurement that will be used to determine progress toward those	63
goals, which shall include the statewide achievement	64
assessments;	65
(A) Professional standards including but not limited to	
(4) Performance standards, including but not limited to	66
all applicable report card measures set forth in section 3302.03	67 68
or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	69
school will be evaluated by the sponsor,	0,9
(5) The admission standards of section 3314.06 of the	70
Revised Code and, if applicable, section 3314.061 of the Revised	71
Code;	72
(6)(a) Dismissal procedures;	73
(b) A requirement that the governing authority adopt an	74
attendance policy that includes a procedure for automatically	75
withdrawing a student from the school if the student without a	76

legitimate excuse fails to participate in one hundred five	77
consecutive hours of the learning opportunities offered to the	78
student.	79
(7) The ways by which the school will achieve racial and	80
ethnic balance reflective of the community it serves;	81
comme sarance refreeerve of one community to serves,	01
(8) Requirements for financial audits by the auditor of	82
state. The contract shall require financial records of the	83
school to be maintained in the same manner as are financial	84
records of school districts, pursuant to rules of the auditor of	85
state. Audits shall be conducted in accordance with section	86
117.10 of the Revised Code.	87
(9) An addendum to the contract outlining the facilities	88
to be used that contains at least the following information:	89
(a) A detailed description of each facility used for	90
instructional purposes;	91
Institute of the particle of t	3 =
(b) The annual costs associated with leasing each facility	92
that are paid by or on behalf of the school;	93
(c) The annual mortgage principal and interest payments	94
that are paid by the school;	95
(d) The name of the lender or landlord, identified as	96
such, and the lender's or landlord's relationship to the	97
operator, if any.	98
(10) Qualifications of teachers, including a requirement	99
that the school's classroom teachers be licensed in accordance	100
with sections 3319.22 to 3319.31 of the Revised Code, except	101
that a community school may engage noncertificated persons to	102
teach up to twelve hours per week pursuant to section 3319.301	103
of the Revised Code.	104

(11) That the school will comply with the following	105
requirements:	106
(a) The school will provide learning opportunities to a	107
minimum of twenty-five students for a minimum of nine hundred	108
twenty hours per school year.	109
(b) The governing authority will purchase liability	110
insurance, or otherwise provide for the potential liability of	111
the school.	112
(a) The acheel will be represented in its programs	112
(c) The school will be nonsectarian in its programs,	113
admission policies, employment practices, and all other	114
operations, and will not be operated by a sectarian school or	115
religious institution.	116
(d) The school will comply with sections 9.90, 9.91,	117
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	118
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472,	119
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609,	120
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, <u>3313.621</u> ,	121
3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662,	122
3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 3313.672,	123
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719,	124
3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 3313.817,	125
3313.86, 3313.89, 3313.96, 3319.073, 3319.321, 3319.39,	126
3319.391, 3319.41, 3319.46, 3321.01, 3321.041, 3321.13, 3321.14,	127
3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52,	128
and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742.,	129
4112., 4123., 4141., and 4167. of the Revised Code as if it were	130
a school district and will comply with section 3301.0714 of the	131
Revised Code in the manner specified in section 3314.17 of the	132
Revised Code.	133

(e) The school shall comply with Chapter 102. and section2921.42 of the Revised Code.135

(f) The school will comply with sections 3313.61,	136
3313.611, and 3313.614 of the Revised Code, except that for	137
students who enter ninth grade for the first time before July 1,	138
2010, the requirement in sections 3313.61 and 3313.611 of the	139
Revised Code that a person must successfully complete the	140
curriculum in any high school prior to receiving a high school	141
diploma may be met by completing the curriculum adopted by the	142
governing authority of the community school rather than the	143
curriculum specified in Title XXXIII of the Revised Code or any	144
rules of the state board of education. Beginning with students	145
who enter ninth grade for the first time on or after July 1,	146
2010, the requirement in sections 3313.61 and 3313.611 of the	147
Revised Code that a person must successfully complete the	148
curriculum of a high school prior to receiving a high school	149
diploma shall be met by completing the requirements prescribed	150
in division (C) of section 3313.603 of the Revised Code, unless	151
the person qualifies under division (D) or (F) of that section.	152
Each school shall comply with the plan for awarding high school	153
credit based on demonstration of subject area competency, and	154
beginning with the 2017-2018 school year, with the updated plan	155
that permits students enrolled in seventh and eighth grade to	156
meet curriculum requirements based on subject area competency	157
adopted by the state board of education under divisions (J)(1)	158
and (2) of section 3313.603 of the Revised Code. Beginning with	159
the 2018-2019 school year, the school shall comply with the	160
framework for granting units of high school credit to students	161
who demonstrate subject area competency through work-based	162
learning experiences, internships, or cooperative education	163
developed by the department under division (J)(3) of section	164

3313.603 of the Revised Code.	165
(g) The school governing authority will submit within four	166
months after the end of each school year a report of its	167
activities and progress in meeting the goals and standards of	168
divisions (A)(3) and (4) of this section and its financial	169
status to the sponsor and the parents of all students enrolled	170
in the school.	171
(h) The school, unless it is an internet- or computer-	172
based community school, will comply with section 3313.801 of the	173
Revised Code as if it were a school district.	174
(i) If the school is the recipient of moneys from a grant	175
awarded under the federal race to the top program, Division (A),	176
Title XIV, Sections 14005 and 14006 of the "American Recovery	177
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115,	178
the school will pay teachers based upon performance in	179
accordance with section 3317.141 and will comply with section	180
3319.111 of the Revised Code as if it were a school district.	181
(j) If the school operates a preschool program that is	182
licensed by the department of education under sections 3301.52	183
to 3301.59 of the Revised Code, the school shall comply with	184
sections 3301.50 to 3301.59 of the Revised Code and the minimum	185
standards for preschool programs prescribed in rules adopted by	186
the state board under section 3301.53 of the Revised Code.	187
(k) The school will comply with sections 3313.6021 and	188
3313.6023 of the Revised Code as if it were a school district	189
unless it is either of the following:	190
(i) An internet- or computer-based community school;	191
(ii) A community school in which a majority of the	192

enrolled students are children with disabilities as described in

division (A)(4)(b) of section 3314.35 of the Revised Code.	194
(12) Arrangements for providing health and other benefits	195
to employees;	196
(13) The length of the contract, which shall begin at the	197
beginning of an academic year. No contract shall exceed five	198
years unless such contract has been renewed pursuant to division	199
(E) of this section.	200
(14) The governing authority of the school, which shall be	201
responsible for carrying out the provisions of the contract;	202
(15) A financial plan detailing an estimated school budget	203
for each year of the period of the contract and specifying the	204
total estimated per pupil expenditure amount for each such year.	205
(16) Requirements and procedures regarding the disposition	206
of employees of the school in the event the contract is	207
terminated or not renewed pursuant to section 3314.07 of the	208
Revised Code;	209
(17) Whether the school is to be created by converting all	210
or part of an existing public school or educational service	211
center building or is to be a new start-up school, and if it is	212
a converted public school or service center building,	213
specification of any duties or responsibilities of an employer	214
that the board of education or service center governing board	215
that operated the school or building before conversion is	216
delegating to the governing authority of the community school	217
with respect to all or any specified group of employees provided	218
the delegation is not prohibited by a collective bargaining	219
agreement applicable to such employees;	220
(18) Provisions establishing procedures for resolving	221
disputes or differences of opinion between the sponsor and the	222

governing authority of the community school;	223
(19) A provision requiring the governing authority to	224
adopt a policy regarding the admission of students who reside	225
outside the district in which the school is located. That policy	226
shall comply with the admissions procedures specified in	227
sections 3314.06 and 3314.061 of the Revised Code and, at the	228
sole discretion of the authority, shall do one of the following:	229
(a) Prohibit the enrollment of students who reside outside	230
the district in which the school is located;	231
(b) Permit the enrollment of students who reside in	232
districts adjacent to the district in which the school is	233
located;	234
(c) Permit the enrollment of students who reside in any	235
other district in the state.	236
(20) A provision recognizing the authority of the	237
department of education to take over the sponsorship of the	238
school in accordance with the provisions of division (C) of	239
section 3314.015 of the Revised Code;	240
(21) A provision recognizing the sponsor's authority to	241
assume the operation of a school under the conditions specified	242
in division (B) of section 3314.073 of the Revised Code;	243
(22) A provision recognizing both of the following:	244
(a) The authority of public health and safety officials to	245
inspect the facilities of the school and to order the facilities	246
closed if those officials find that the facilities are not in	247
compliance with health and safety laws and regulations;	248
(b) The authority of the department of education as the	249
community school oversight body to suspend the operation of the	250

school under section 3314.072 of the Revised Code if the	251
department has evidence of conditions or violations of law at	252
the school that pose an imminent danger to the health and safety	253
of the school's students and employees and the sponsor refuses	254
to take such action.	255
(23) A description of the learning opportunities that will	256
be offered to students including both classroom-based and non-	257
classroom-based learning opportunities that is in compliance	258
with criteria for student participation established by the	259
department under division (H)(2) of section 3314.08 of the	260
Revised Code;	261
(24) The school will comply with sections 3302.04 and	262
3302.041 of the Revised Code, except that any action required to	263
be taken by a school district pursuant to those sections shall	264
be taken by the sponsor of the school. However, the sponsor	265
shall not be required to take any action described in division	266
(F) of section 3302.04 of the Revised Code.	267
(25) Beginning in the 2006-2007 school year, the school	268
will open for operation not later than the thirtieth day of	269
September each school year, unless the mission of the school as	270
specified under division (A)(2) of this section is solely to	271
serve dropouts. In its initial year of operation, if the school	272
fails to open by the thirtieth day of September, or within one	273
year after the adoption of the contract pursuant to division (D)	274
of section 3314.02 of the Revised Code if the mission of the	275
school is solely to serve dropouts, the contract shall be void.	276
(26) Whether the school's governing authority is planning	277
to seek designation for the school as a STEM school equivalent	278
under section 3326.032 of the Revised Code;	279

(27) That the school's attendance and participation	280
	281
policies will be available for public inspection;	201
(28) That the school's attendance and participation	282
records shall be made available to the department of education,	283
auditor of state, and school's sponsor to the extent permitted	284
under and in accordance with the "Family Educational Rights and	285
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended,	286
and any regulations promulgated under that act, and section	287
3319.321 of the Revised Code;	288
(29) If a school operates using the blended learning	289
model, as defined in section 3301.079 of the Revised Code, all	290
of the following information:	291
(a) An indication of what blended learning model or models	292
will be used;	293
(b) A description of how student instructional needs will	294
be determined and documented;	295
(c) The method to be used for determining competency,	296
granting credit, and promoting students to a higher grade level;	297
(d) The school's attendance requirements, including how	298
the school will document participation in learning	299
opportunities;	300
(e) A statement describing how student progress will be	301
monitored;	302
(f) A statement describing how private student data will	303
be protected;	304
(g) A description of the professional development	305
activities that will be offered to teachers.	306

(30) A provision requiring that all moneys the school's	307
operator loans to the school, including facilities loans or cash	308
flow assistance, must be accounted for, documented, and bear	309
interest at a fair market rate;	310
(31) A provision requiring that, if the governing	311
authority contracts with an attorney, accountant, or entity	312
specializing in audits, the attorney, accountant, or entity	313
shall be independent from the operator with which the school has	314
contracted.	315
(B) The community school shall also submit to the sponsor	316
a comprehensive plan for the school. The plan shall specify the	317
following:	318
(1) The process by which the governing authority of the	319
school will be selected in the future;	320
(2) The management and administration of the school;	321
(3) If the community school is a currently existing public	322
school or educational service center building, alternative	323
arrangements for current public school students who choose not	324
to attend the converted school and for teachers who choose not	325
to teach in the school or building after conversion;	326
(4) The instructional program and educational philosophy	327
of the school;	328
(5) Internal financial controls.	329
When submitting the plan under this division, the school	330
shall also submit copies of all policies and procedures	331
regarding internal financial controls adopted by the governing	332
authority of the school.	333
(C) A contract entered into under section 3314.02 of the	334

Revised Code between a sponsor and the governing authority of a	335
community school may provide for the community school governing	336
authority to make payments to the sponsor, which is hereby	337
authorized to receive such payments as set forth in the contract	338
between the governing authority and the sponsor. The total	339
amount of such payments for monitoring, oversight, and technical	340
assistance of the school shall not exceed three per cent of the	341
total amount of payments for operating expenses that the school	342
receives from the state.	343
(D) The contract shall specify the duties of the sponsor	344
which shall be in accordance with the written agreement entered	345
into with the department of education under division (B) of	346
section 3314.015 of the Revised Code and shall include the	347
following:	348
(1) Monitor the community school's compliance with all	349
laws applicable to the school and with the terms of the	350
contract;	351
(2) Monitor and evaluate the academic and fiscal	352
performance and the organization and operation of the community	353
school on at least an annual basis;	354
(3) Report on an annual basis the results of the	355
evaluation conducted under division (D)(2) of this section to	356
the department of education and to the parents of students	357
enrolled in the community school;	358
(4) Provide technical assistance to the community school	359
in complying with laws applicable to the school and terms of the	360
contract;	361
(5) Take steps to intervene in the school's operation to	362

correct problems in the school's overall performance, declare

the school to be on probationary status pursuant to section	364
3314.073 of the Revised Code, suspend the operation of the	365
school pursuant to section 3314.072 of the Revised Code, or	366
terminate the contract of the school pursuant to section 3314.07	367
of the Revised Code as determined necessary by the sponsor;	368
(6) Have in place a plan of action to be undertaken in the	369
event the community school experiences financial difficulties or	370
closes prior to the end of a school year.	371
(E) Upon the expiration of a contract entered into under	372
this section, the sponsor of a community school may, with the	373
approval of the governing authority of the school, renew that	374
contract for a period of time determined by the sponsor, but not	375
ending earlier than the end of any school year, if the sponsor	376
finds that the school's compliance with applicable laws and	377
terms of the contract and the school's progress in meeting the	378
academic goals prescribed in the contract have been	379
satisfactory. Any contract that is renewed under this division	380
remains subject to the provisions of sections 3314.07, 3314.072,	381
and 3314.073 of the Revised Code.	382
(F) If a community school fails to open for operation	383
within one year after the contract entered into under this	384
section is adopted pursuant to division (D) of section 3314.02	385
of the Revised Code or permanently closes prior to the	386
expiration of the contract, the contract shall be void and the	387
school shall not enter into a contract with any other sponsor. A	388
school shall not be considered permanently closed because the	389
operations of the school have been suspended pursuant to section	390
3314.072 of the Revised Code.	391
Sec. 3317.01. As used in this section, "school district,"	392

unless otherwise specified, means any city, local, exempted

village,	joint vocational,	or cooperative education	school 39	4
district	and any educationa	l service center.	39	5

This chapter shall be administered by the state board of 396 education. The superintendent of public instruction shall 397 calculate the amounts payable to each school district and shall 398 certify the amounts payable to each eligible district to the 399 treasurer of the district as provided by this chapter. As soon 400 as possible after such amounts are calculated, the 401 superintendent shall certify to the treasurer of each school 402 district the district's adjusted charge-off increase, as defined 403 in section 5705.211 of the Revised Code. Certification of moneys 404 pursuant to this section shall include the amounts payable to 405 each school building, at a frequency determined by the 406 superintendent, for each subgroup of students, as defined in 407 section 3317.40 of the Revised Code, receiving services, 408 provided for by state funding, from the district or school. No 409 moneys shall be distributed pursuant to this chapter without the 410 approval of the controlling board. 411

The state board of education shall, in accordance with 412 appropriations made by the general assembly, meet the financial 413 obligations of this chapter. 414

Moneys distributed to school districts pursuant to this 415 chapter shall be calculated based on the annual enrollment 416 calculated from the three reports required under sections 417 3317.03 and 3317.036 of the Revised Code and paid on a fiscal 418 year basis, beginning with the first day of July and extending 419 through the thirtieth day of June. In any given fiscal year, 420 prior to school districts submitting the first report required 421 under section 3317.03 of the Revised Code, enrollment for the 422 districts shall be calculated based on the third report 423

submitted by the districts for the previous fiscal year. The	424
moneys appropriated for each fiscal year shall be distributed	425
periodically to each school district unless otherwise provided	426
for. The state board, in June of each year, shall submit to the	427
controlling board the state board's year-end distributions	428
pursuant to this chapter.	429
Except as otherwise provided, payments under this chapter	430
shall be made only to those school districts in which:	431
(A) The school district, except for any educational	432
service center and any joint vocational or cooperative education	433
school district, levies for current operating expenses at least	434
twenty mills. Levies for joint vocational or cooperative	435
education school districts or county school financing districts,	436
limited to or to the extent apportioned to current expenses,	437
shall be included in this qualification requirement. School	438
district income tax levies under Chapter 5748. of the Revised	439
Code, limited to or to the extent apportioned to current	440
operating expenses, shall be included in this qualification	441
requirement to the extent determined by the tax commissioner	442
under division (C) of section 3317.021 of the Revised Code.	443
(B) The school year next preceding the fiscal year for	444
which such payments are authorized meets the requirement of	445
section 3313.48 of the Revised Code, with regard to the minimum	446
number of hours school must be open for instruction with pupils	447
in attendance, for individualized parent-teacher conference and	448
reporting periods, and for professional meetings of teachers,	449
and the requirement of section 3313.621 of the Revised Code,	450
with regard to the first day of the school year on which a	451
school may be open for instruction.	452

A school district shall not be considered to have failed

to comply with this division because schools were open for	454
instruction but either twelfth grade students were excused from	455
attendance for up to the equivalent of three school days or only	456
a portion of the kindergarten students were in attendance for up	457
to the equivalent of three school days in order to allow for the	458
gradual orientation to school of such students.	459

A board of education or governing board of an educational 460 service center which has not conformed with other law and the 461 rules pursuant thereto, shall not participate in the 462 distribution of funds authorized by this chapter, except for 463 good and sufficient reason established to the satisfaction of 464 the state board of education and the state controlling board. 465

All funds allocated to school districts under this 466 chapter, except those specifically allocated for other purposes, 467 shall be used to pay current operating expenses only. 468

Sec. 3326.11. Each science, technology, engineering, and 469 mathematics school established under this chapter and its 470 governing body shall comply with sections 9.90, 9.91, 109.65, 471 121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 472 3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 473 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 474 3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 475 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 476 3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, <u>3313.621</u>, 477 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 478 3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 479 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 480 3313.7112, 3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 481 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 482 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 483

3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.17, 3321.18,	484
3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and	485
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742.,	486
4112., 4123., 4141., and 4167. of the Revised Code as if it were	487
a school district.	488
Sec. 3328.24. A college-preparatory boarding school	489
established under this chapter and its board of trustees shall	490
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712,	491
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021,	492
<u>3313.621,</u> 3313.6411, 3313.7112, 3313.721, 3313.89, 3319.39,	493
3319.391, and 3319.46 and Chapter 3365. of the Revised Code as	494
if the school were a school district and the school's board of	495
trustees were a district board of education.	496
Section 2. That existing sections 3314.03, 3317.01,	497
3326.11, and 3328.24 of the Revised Code are hereby repealed.	498
Section 3. Section 3328.24 of the Revised Code is	499
presented in this act as a composite of the section as amended	500
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General	501
Assembly. The General Assembly, applying the principle stated in	502
division (B) of section 1.52 of the Revised Code that amendments	503
are to be harmonized if reasonably capable of simultaneous	504
operation, finds that the section presented in this act as a	505
composite of the section as amended by both acts is the	506
resulting version of the section in effect prior to the	507
effective date of the section as presented in this act.	508