

**As Introduced**

**134th General Assembly  
Regular Session  
2021-2022**

**H. B. No. 523**

**Representative Swearingen**

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**A BILL**

To amend sections 340.01, 340.02, 340.036, 340.04, 1  
340.30, 5119.363, and 5705.221 and to repeal 2  
section 340.20 of the Revised Code regarding the 3  
composition and authority of boards of alcohol, 4  
drug addiction, and mental health services and 5  
the taxing authority for such services. 6

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

**Section 1.** That sections 340.01, 340.02, 340.036, 340.04, 7  
340.30, 5119.363, and 5705.221 of the Revised Code be amended to 8  
read as follows: 9

**Sec. 340.01.** (A) As used in this chapter: 10

(1) "Addiction," "addiction services," "alcohol and drug 11  
addiction services," "alcoholism," "certifiable services and 12  
supports," "community addiction services provider," "community 13  
mental health services provider," "drug addiction," "gambling 14  
addiction services," "included opioid and co-occurring drug 15  
addiction services and recovery supports," "mental health 16  
services," "mental illness," and "recovery supports" have the 17  
same meanings as in section 5119.01 of the Revised Code. 18

(2) "Medication-assisted treatment" means alcohol and drug 19

addiction services that are accompanied by medication approved 20  
by the United States food and drug administration for the 21  
treatment of alcoholism or drug addiction, prevention of relapse 22  
of alcoholism or drug addiction, or both. 23

(3) "Recovery housing" means housing for individuals 24  
recovering from alcoholism or drug addiction that provides an 25  
alcohol and drug-free living environment, peer support, 26  
assistance with obtaining alcohol and drug addiction services, 27  
and other alcoholism and drug addiction recovery assistance. 28

(B) An alcohol, drug addiction, and mental health service 29  
district shall be established in any county or combination of 30  
counties having a population of at least fifty thousand. With 31  
the approval of the director of mental health and addiction 32  
services, any county or combination of counties having a 33  
population of less than fifty thousand may establish such a 34  
district. Districts comprising more than one county shall be 35  
known as joint-county districts. 36

The board of county commissioners of any county 37  
participating in a joint-county district may submit a resolution 38  
requesting withdrawal from the district together with a 39  
comprehensive plan or plans that are in compliance with rules 40  
adopted by the director of mental health and addiction services 41  
under section 5119.22 of the Revised Code, ~~and that provide for~~ 42  
~~the equitable adjustment and division of all services, assets,~~ 43  
~~property, debts, and obligations, if any, of the joint county~~ 44  
~~district~~ to the board of alcohol, drug addiction, and mental 45  
health services, to the boards of county commissioners of each 46  
county in the district, and to the director. The plan or plans 47  
shall include all of the following: proposed bylaws for the 48  
operation of the newly established district; a list of potential 49

board members; a list of the behavioral health services 50  
available in the newly established district, including 51  
inpatient, outpatient, prevention, and housing services; 52  
equitable adjustment and division of all services, assets, 53  
property, debts, and obligations of the former joint-county 54  
district; a plan ensuring no disruption in behavioral health 55  
services in the newly-established district; and provision for 56  
the employment of an executive director of the newly established 57  
district. 58

The director shall approve the plan not later than one 59  
year after the date the resolution was adopted by the board of 60  
county commissioners. No county participating in a joint-county 61  
service-district may withdraw from the district without the 62  
consent of the director of mental health and addiction services 63  
nor earlier than one year after the submission of such 64  
resolution unless all of the participating counties agree to an 65  
earlier withdrawal. ~~Any~~ 66

Any county withdrawing from a joint-county district shall 67  
continue to have levied against its tax list and duplicate any 68  
tax levied by the district during the period in which the county 69  
was a member of the district until such time as the levy expires 70  
or is renewed or replaced. 71

(C) For any tax levied by the board of a joint-county 72  
district under section 5705.19 of the Revised Code, revenue from 73  
the tax shall only be expended for the benefit of the residents 74  
of the county from which the revenue is derived. 75

**Sec. 340.02.** (A) For each alcohol, drug addiction, and 76  
mental health service district, there shall be appointed a board 77  
of alcohol, drug addiction, and mental health services 78  
consisting. As provided in this section, the board shall consist 79

of eighteen members ~~or fourteen,~~ fifteen members, twelve 80  
members, nine members, or six members. ~~Should the board of~~ 81  
~~alcohol, drug addiction, and mental health services elect to~~ 82  
~~remain at eighteen members, as provided under section 340.02 of~~ 83  
~~the Revised Code as it existed immediately prior to the date of~~ 84  
~~this amendment, the board of alcohol, drug addiction, and mental~~ 85  
~~health services and the board of county commissioners shall not~~ 86  
~~be required to take any action. Should the board of alcohol,~~ 87  
~~drug addiction, and mental health services elect a~~ 88  
~~recommendation to become a fourteen-member board, that~~ 89  
~~recommendation must be approved by the board of county~~ 90  
~~commissioners of the county in which the alcohol, drug~~ 91  
~~addiction, and mental health district is located in order for~~ 92  
~~the transition to a fourteen-member board to occur. Not later~~ 93  
~~than September 30, 2013, each board of alcohol, drug addiction,~~ 94  
~~and mental health services wishing to become a fourteen member~~ 95  
~~board shall notify the board of county commissioners of that~~ 96  
~~recommendation. Failure of the board of county commissioners to~~ 97  
~~take action within thirty days after receipt of the~~ 98  
~~recommendation shall be deemed agreement by the board of county~~ 99  
~~commissioners to transition to a fourteen-member board of~~ 100  
~~alcohol, drug addiction, and mental health services. Should the~~ 101  
~~board of county commissioners reject the recommendation, the~~ 102  
~~board of county commissioners shall adopt a resolution stating~~ 103  
~~that rejection within thirty days after receipt of the~~ 104  
~~recommendation. Upon adoption of the resolution, the board of~~ 105  
~~county commissioners shall meet with the board of alcohol, drug~~ 106  
~~addiction, and mental health services to discuss the matter.~~ 107  
~~After the meeting, the board of county commissioners shall~~ 108  
~~notify the department of mental health and addiction services of~~ 109  
~~its election not later than January 1, 2014. In a joint county~~ 110  
~~district, a majority of the boards of county commissioners must~~ 111

~~not reject the recommendation of a joint county board to become~~ 112  
~~a fourteen member board in order for the transition to a~~ 113  
~~fourteen member board to occur. Should the joint county district~~ 114  
~~have an even number of counties, and the boards of county~~ 115  
~~commissioners of these counties tie in terms of whether or not~~ 116  
~~to accept the recommendation of the alcohol, drug addiction, and~~ 117  
~~mental health services board, the recommendation of the alcohol,~~ 118  
~~drug addiction, and mental health service board to become a~~ 119  
~~fourteen member board shall prevail. The election shall be~~ 120  
~~final. Failure to provide notice of its election to the~~ 121  
~~department on or before January 1, 2014, shall constitute an~~ 122  
~~election to continue to operate as an eighteen member board,~~ 123  
~~which election shall also be final. If an existing board~~ 124  
~~provides timely notice of its election to transition to operate~~ 125  
~~as a fourteen member board, the number of board members may~~ 126  
~~decline from eighteen to fourteen by attrition as current~~ 127  
~~members' terms expire. However, the composition of the board~~ 128  
~~must reflect the requirements set forth in this section for~~ 129  
~~fourteen member boards. For all boards, half of the members~~ 130  
~~shall be interested in mental health services and half of the~~ 131  
~~members shall be interested in alcohol, drug, or gambling~~ 132  
~~addiction services.~~ 133

In a single-county district, the size of the board shall 134  
be determined by the board of county commissioners representing 135  
the county that constitutes the district. In a joint-county 136  
district, the size of the board shall be determined jointly by 137  
all of the boards of county commissioners representing the 138  
counties that constitute the district. 139

The determination of board size shall be made from among 140  
the options that may be selected under division (B) of this 141  
section. Once an option is selected, the board of county 142

commissioners or boards of county commissioners, as the case may 143  
be, shall adopt a resolution not later than July 1, 2022, 144  
specifying the selection that has been made and shall notify the 145  
department of mental health and addiction services. Thereafter, 146  
a board of county commissioners, or boards of county 147  
commissioners, as the case may be, shall not adopt such a 148  
resolution more than once every four calendar years. 149

(B) (1) In the case of a board of alcohol, drug addiction, 150  
and mental health services that is established on or after the 151  
effective date of this amendment, any of the following actions 152  
may be selected when making the determination required under 153  
division (A) of this section: 154

(a) To establish the board as an eighteen-member board; 155

(b) To establish the board as a fifteen-member board; 156

(c) To establish the board as a twelve-member board; 157

(d) To establish the board as a nine-member board; 158

(e) To establish the board as a six-member board. 159

(2) In the case of a board of alcohol, drug addiction, and 160  
mental health services that existed immediately prior to the 161  
effective date of this amendment, either of the following 162  
options may be selected when making the determination required 163  
under division (A) of this section: 164

(a) To continue the board's operation as an eighteen- 165  
member board, as a board of that size was authorized prior to 166  
the effective date of this amendment; 167

(b) To reduce the board's size by selecting a number of 168  
members that is fifteen, twelve, nine, or six, as permitted 169  
under division (B) (1) of this section. 170

(C) All members shall be residents of the service 171  
district. The membership shall, as nearly as possible, reflect 172  
the composition of the population of the service district as to 173  
race and sex. 174

~~(B) For boards operating as eighteen-member boards, the~~ 175  
The director of mental health and addiction services shall 176  
appoint ~~eight~~ one-third of the members of the board and the 177  
board of county commissioners shall appoint ~~ten~~ two-thirds of 178  
the members. ~~For boards operating as fourteen member boards, the~~ 179  
~~director of mental health and addiction services shall appoint~~ 180  
~~six members of the board and the board of county commissioners~~ 181  
~~shall appoint eight members.~~ In a joint-county district, the 182  
board of county commissioners of each participating county shall 183  
appoint members in as nearly as possible the same proportion as 184  
that county's population bears to the total population of the 185  
district, except that at least one member shall be appointed 186  
from each participating county. 187

~~(C) The director of mental health and addiction services~~ 188  
~~shall ensure that at least one member of the board is a~~ 189  
~~clinician with experience in the delivery of mental health~~ 190  
~~services, at least one member of the board is~~ In making 191  
appointments to the board, the appointing authorities shall 192  
ensure that at least one-third of the board's membership, at all 193  
times, consists of persons who meet the criteria specified in 194  
this paragraph. Of the number that results from calculating the 195  
product of one-third of the board, two of the positions included 196  
in that number shall be filled as follows: one person who has 197  
received or is receiving mental health services and one person 198  
who has received or is receiving addiction services. Of the 199  
remaining positions included in that number, which applies in 200  
the case of a board with more than six members, each position 201

shall be filled by one of the following: a person who has 202  
received or is receiving mental health services, ~~at least one~~ 203  
~~member of the board is a parent or other relative of such a~~ 204  
person who has received or is receiving mental health services, 205  
~~at least one member of the board is a clinician with experience~~ 206  
~~in the delivery of addiction services, at least one member of~~ 207  
~~the board is a person who has received or is receiving addiction~~ 208  
~~services, and at least one member of the board is a parent or~~ 209  
~~other relative of such a person. A single member who meets both~~ 210  
~~qualifications may fulfill the requirement for~~ who has received 211  
or is receiving addiction services, a clinician with experience 212  
in the delivery of mental health services ~~and, or~~ a clinician 213  
with experience in the delivery of addiction services. 214

~~(D)~~ No member or employee of a board of alcohol, drug 215  
addiction, and mental health services shall serve as a member of 216  
the board of any provider with which the board of alcohol, drug 217  
addiction, and mental health services has entered into a 218  
contract for the provision of services or facilities. No member 219  
of a board of alcohol, drug addiction, and mental health 220  
services shall be an employee of any provider with which the 221  
board has entered into a contract for the provision of services 222  
or facilities. No person shall be an employee of a board and 223  
such a provider unless the board and provider both agree in 224  
writing. 225

~~(E)~~ No person shall serve as a member of the board of 226  
alcohol, drug addiction, and mental health services whose 227  
spouse, child, parent, brother, sister, grandchild, stepparent, 228  
stepchild, stepbrother, stepsister, father-in-law, mother-in- 229  
law, son-in-law, daughter-in-law, brother-in-law, or sister-in- 230  
law serves as a member of the board of any provider with which 231  
the board of alcohol, drug addiction, and mental health services 232



has entered into a contract for the provision of services or 233  
facilities. No person shall serve as a member or employee of the 234  
board whose spouse, child, parent, brother, sister, stepparent, 235  
stepchild, stepbrother, stepsister, father-in-law, mother-in- 236  
law, son-in-law, daughter-in-law, brother-in-law, or sister-in- 237  
law serves as a county commissioner of a county or counties in 238  
the alcohol, drug addiction, and mental health service district. 239

~~(F) Each year each board member shall attend at least one 240  
inservice training session provided or approved by the 241  
department of mental health and addiction services. 242~~

~~(G) For boards operating as eighteen-member boards, each 243  
Each member shall be appointed for a term of four years, 244  
commencing the first day of July, except that ~~one third of~~ 245  
~~initial appointments to a newly established board, and to the~~ 246  
~~extent possible to expanded boards, shall be for terms of two~~ 247  
~~years, one third of initial appointments shall be for terms of~~ 248  
~~three years, and one third of initial appointments shall be for~~ 249  
~~terms of four years. For boards operating as fourteen-member~~ 250  
~~boards, each member shall be appointed for a term of four years,~~ 251  
~~commencing the first day of July, except that four of the~~ 252  
~~initial appointments to a newly established board, and to the~~ 253  
~~extent possible to expanded boards, shall be for terms of two~~ 254  
~~years, five initial appointments shall be for terms of three~~ 255  
~~years, and five initial appointments shall be for terms of four~~ 256  
~~years. No when a board is established on or after the effective~~ 257  
~~date of this amendment, the initial appointments shall be~~ 258  
~~staggered among the members as equally as possible with terms of~~ 259  
~~two years, three years, and four years.~~ 260~~

No member shall serve more than two consecutive four-year 261  
terms under the same appointing authority. A member may serve 262

for three consecutive terms under the same appointing authority 263  
only if one of the terms is for less than two years. A member 264  
who has served two consecutive four-year terms or three 265  
consecutive terms totaling less than ten years is eligible for 266  
reappointment by the same appointing authority one year 267  
following the end of the second or third term, respectively. 268

When a vacancy occurs, appointment for the expired or 269  
unexpired term shall be made in the same manner as an original 270  
appointment. The board shall notify the appointing authority 271  
either by certified mail or, if the board has record of an 272  
internet identifier of record associated with the authority, by 273  
ordinary mail and by that internet identifier of record of any 274  
vacancy and shall fill the vacancy within sixty days following 275  
that notice. As used in this paragraph, "internet identifier of 276  
record" has the same meaning as in section 9.312 of the Revised 277  
Code. 278

Any member of the board may be removed from office by the 279  
appointing authority ~~for neglect of duty, misconduct, or~~ 280  
~~malfeasance in office, and shall be removed by the appointing~~ 281  
~~authority if the member is barred by this section from serving~~ 282  
~~as a board member at will.~~ The member shall be informed in 283  
writing of the ~~charges and afforded an opportunity for a hearing~~ 284  
removal. Upon the absence of a member within one year from 285  
either four board meetings or from two board meetings without 286  
prior notice, the board shall notify the appointing authority, 287  
which may vacate the appointment and appoint another person to 288  
complete the member's term. 289

Members of the board shall serve without compensation, but 290  
shall be reimbursed for actual and necessary expenses incurred 291  
in the performance of their official duties, as defined by rules 292

of the department of mental health and addiction services.	293
<del>(H) As used in this section, "internet identifier of</del>	294
<del>record" has the same meaning as in section 9.312 of the Revised</del>	295
<del>Code.</del>	296
<b>Sec. 340.036.</b> (A) Subject to division (B) of this section	297
and rules adopted by the director of mental health and addiction	298
services after consultation with relevant constituencies as	299
required by division (A) (10) of section 5119.21 of the Revised	300
Code, each board of alcohol, drug addiction, and mental health	301
services shall enter into contracts with all of the following:	302
(1) Public and private facilities for the operation of	303
facility services;	304
(2) Community addiction services providers for addiction	305
services and recovery supports;	306
(3) Community mental health services providers for mental	307
health services and recovery supports.	308
(B) No board shall do any of the following:	309
(1) Contract with a residential facility required to be	310
licensed under section 5119.34 of the Revised Code unless the	311
facility is so licensed;	312
(2) Contract with a community addiction services provider	313
or community mental health services provider for certifiable	314
services and supports unless the certifiable services and	315
supports are certified under section 5119.36 of the Revised	316
Code;	317
(3) Contract with a community addiction services provider	318
or community mental health services provider for recovery	319
supports that are required by the director to meet quality	320

criteria or core competencies unless the recovery supports meet 321  
the criteria or competencies. 322

(C) When a board contracts with a community addiction 323  
services provider or community mental health services provider 324  
for addiction services, mental health services, or recovery 325  
supports, all of the following apply: 326

(1) The board shall consider both of the following: 327

(a) The cost effectiveness and quality of the provider's 328  
services and supports; 329

(b) Continuity of care. 330

(2) The board may review cost elements, including salary 331  
costs, of the services and supports. 332

(3) The board may establish, in a way that is most 333  
effective and efficient in meeting local needs, a utilization 334  
review process as part of the contract. 335

(D) ~~If a A party to a contract entered into under this 336  
section proposes not to renew the contract or proposes 337  
substantial changes in contract terms, the other party shall be 338  
given written notice at least one hundred twenty days before the 339  
expiration date of the contract. During the first sixty days of 340  
this one hundred twenty day period, both parties shall attempt 341  
to resolve any dispute through good faith collaboration and 342  
negotiation in order to continue to provide services and 343  
supports to persons in need. If the dispute has not been 344  
resolved sixty days before the expiration date of the contract, 345  
either party may notify the director of the unresolved dispute. 346  
The director may require both parties to submit the dispute to 347  
another entity with the cost to be shared by the parties. Not 348  
later than twenty days before the expiration date of the 349~~

~~contract or a later date to which both parties agree, the other~~ 350  
~~entity shall issue to the parties and director recommendations~~ 351  
~~on how the dispute may be resolved. The director shall adopt~~ 352  
~~rules establishing the procedures of this dispute resolution~~ 353  
~~process~~ may terminate the contract at any time by providing the 354  
other party written notice at least thirty calendar days before 355  
the termination date. 356

(E) Section 307.86 of the Revised Code does not apply to 357  
contracts entered into under this section, but a board of 358  
alcohol, drug addiction, and mental health services may elect to 359  
establish and use a process for selecting and entering into 360  
contracts on a competitive basis or any other basis the board 361  
considers appropriate. 362

**Sec. 340.04.** Each board of alcohol, drug addiction, and 363  
mental health services shall employ a qualified mental health or 364  
addiction services professional with experience in 365  
administration or a professional administrator with experience 366  
in mental health services or addiction services to serve as 367  
executive director of the board and shall prescribe the 368  
director's duties. 369

The board shall fix the compensation of the executive 370  
director. In addition to such compensation, the director shall 371  
be reimbursed for actual and necessary expenses incurred in the 372  
performance of the director's official duties. The board, by 373  
majority vote of the full membership, may remove the director 374  
for cause at any time, contingent upon any written contract 375  
between the board and the executive director, upon written 376  
charges, after an opportunity has been afforded the director for 377  
a hearing before the board on request. 378

The board may delegate to its executive director the 379

authority to act in its behalf in the performance of its 380  
administrative duties. 381

As used in this section, "mental health professional" and 382  
"addiction services professional" mean an individual who is 383  
qualified to work with mentally ill persons or persons receiving 384  
addiction services, pursuant to standards established by the 385  
director of mental health and addiction services under Chapter 386  
5119. of the Revised Code. 387

**Sec. 340.30.** (A) There is hereby created the county hub 388  
program to combat opioid addiction. The purposes of the program 389  
are as follows: 390

(1) To strengthen county and community efforts to prevent 391  
and treat opioid addiction; 392

(2) To educate youth and adults about the dangers of 393  
opioid addiction and the negative effects it has on society; 394

(3) To promote family building and workforce development 395  
as ways of ~~combatting~~ combating opioid addiction in communities; 396

(4) To encourage community engagement in efforts to 397  
address the purposes specified in divisions (A) (1) to (3) of 398  
this section. 399

(B) The program shall be administered by each board of 400  
alcohol, drug addiction, and mental health services. If the 401  
service district a board represents consists of more than one 402  
county, the board shall administer the program in each county. 403

~~(C) Not later than January 1, 2020, each board shall 404  
submit a report to the department of mental health and addiction 405  
services summarizing the board's work on, and progress toward, 406  
addressing each of the program's purposes. The department shall 407~~

~~aggregate the reports received from the boards and submit a~~ 408  
~~statewide report to the governor and general assembly. The copy~~ 409  
~~submitted to the general assembly shall be submitted in~~ 410  
~~accordance with section 101.68 of the Revised Code.~~ 411

**Sec. 5119.363.** The director of mental health and addiction 412  
services shall adopt rules governing ~~the duties of boards of~~ 413  
~~alcohol, drug addiction, and mental health services under~~ 414  
~~section 340.20 of the Revised Code and the duties of community~~ 415  
addiction services providers under section 5119.362 of the 416  
Revised Code. The rules shall be adopted in accordance with 417  
Chapter 119. of the Revised Code. 418

The director shall adopt rules under this section that 419  
authorize the department of mental health and addiction services 420  
to determine an advanced practice registered nurse's, physician 421  
assistant's, or physician's compliance with section 3719.064 of 422  
the Revised Code if such practitioner works for a community 423  
addiction services provider. 424

**Sec. 5705.221.** (A) At any time, the board of county 425  
commissioners of any county by a majority vote of the full 426  
membership may declare by resolution and certify to the board of 427  
elections of the county that the amount of taxes which may be 428  
raised within the ten-mill limitation by levies on the current 429  
tax duplicate will be insufficient to provide the necessary 430  
requirements of the county's alcohol, drug addiction, and mental 431  
health service district established pursuant to Chapter 340. of 432  
the Revised Code, or the county's contribution to a joint-county 433  
district of which the county is a part, and that it is necessary 434  
to levy a tax in excess of such limitation for the operation of 435  
community addiction services providers and community mental 436  
health services providers and the acquisition, construction, 437

renovation, financing, maintenance, and operation of alcohol and 438  
drug addiction facilities and mental health facilities. 439

Such resolution shall conform to section 5705.19 of the 440  
Revised Code, except that the increased rate may be in effect 441  
for any number of years not exceeding ten. 442

The resolution shall be certified and submitted in the 443  
manner provided in section 5705.25 of the Revised Code, except 444  
that it may be placed on the ballot in any election, and except 445  
as otherwise provided in division (G) of this section. The 446  
resolution shall be certified to the board of elections not less 447  
than ninety days before the election at which it will be voted 448  
upon. 449

If the majority of the electors voting on a levy to 450  
supplement general fund appropriations for the support of the 451  
comprehensive community addiction and mental health services 452  
providers vote in favor of the levy, the board may levy a tax 453  
within the county at the additional rate outside the ten-mill 454  
limitation during the specified ~~or continuing~~ period, for the 455  
purpose stated in the resolution. 456

(B) When electors have approved a tax levy under this 457  
section, the board of county commissioners may anticipate a 458  
fraction of the proceeds of the levy and, from time to time, 459  
issue anticipation notes in accordance with section 5705.191 or 460  
5705.193 of the Revised Code. 461

(C) The county auditor who is the fiscal officer of the 462  
alcohol, drug addiction, and mental health service district, 463  
upon receipt of a resolution from the board of alcohol, drug 464  
addiction, and mental health services, shall establish for the 465  
district a capital improvements account or a reserve balance 466



account, or both, as specified in the resolution. The capital 467  
improvements account shall be a contingency fund for the 468  
necessary acquisition, replacement, renovation, or construction 469  
of facilities and movable and fixed equipment. Upon the request 470  
of the board, funds not needed to pay for current expenses may 471  
be appropriated to the capital improvements account, in amounts 472  
such that the account does not exceed twenty-five per cent of 473  
the replacement value of all capital facilities and equipment 474  
currently used by the board for programs and services. Other 475  
funds which are available for current capital expenses from 476  
federal, state, or local sources may also be appropriated to 477  
this account. 478

The reserve balance account shall contain those funds that 479  
are not needed to pay for current operating expenses and not 480  
deposited in the capital improvements account but that will be 481  
needed to pay for operating expenses in the future. Upon the 482  
request of a board, such funds shall be appropriated to the 483  
reserve balance account. Payments from the capital improvements 484  
account and the reserve balance account shall be made by the 485  
county treasurer who is the custodian of funds for the district 486  
upon warrants issued by the county auditor who is the fiscal 487  
officer of the district pursuant to orders of the board. 488

(D) If a board of county commissioners levies a tax under 489  
this section for the county's contribution to a joint-county 490  
district of which the county is a part, revenue from the tax 491  
shall only be expended for the benefit of the residents of the 492  
county. 493

(E) If a board of county commissioners levies a tax under 494  
this section for the county's contribution to a joint-county 495  
district of which the county is a part and that district expands 496

or contracts due to the addition or withdrawal of another 497  
county, the board, provided that county remains a part of the 498  
newly expanded or contracted joint-county district, shall 499  
continue to levy and collect that tax, pursuant to the terms 500  
originally approved by electors, for the county's contribution 501  
to the newly expanded or contracted joint-county district of 502  
which the county is a part. Notwithstanding sections 5705.192 503  
and 5705.25 of the Revised Code, the election notice and ballot 504  
language of a renewal or replacement of such a levy shall 505  
identify the name of the newly expanded or contracted joint- 506  
county district. 507

(F) If a board of county commissioners levies a tax under 508  
this section for the county's contribution to a joint-county 509  
district of which the county is a part and the county withdraws 510  
from the district, the board shall continue to levy and collect 511  
that tax, pursuant to the terms originally approved by electors, 512  
for one of the following purposes, if either situation applies: 513

(1) For the county's contribution to a newly joined joint- 514  
county district, if the county joins such a joint-county 515  
district in the tax year after the year in which the county 516  
withdraws from the other joint-county district; 517

(2) To provide the necessary requirements of the county's 518  
alcohol, drug addiction, and mental health service district, if 519  
the county establishes such a district under Chapter 340. of the 520  
Revised Code in the tax year after the year in which the county 521  
withdraws from the joint-county district. 522

Notwithstanding sections 5705.192 and 5705.25 of the 523  
Revised Code, the election notice and ballot language of a 524  
renewal or replacement of such a levy shall identify the name of 525  
the newly established district or newly joined joint-county 526

<u>district.</u>	527
<u>(G) Division (G) of this section applies only if all of</u>	528
<u>the following apply:</u>	529
<u>(1) The county withdraws from a joint-county district.</u>	530
<u>(2) The board of alcohol, drug addiction, and mental</u>	531
<u>health services of that joint-county district levies a tax under</u>	532
<u>section 5705.19 of the Revised Code in the tax year for which</u>	533
<u>the county withdraws from the joint-county district.</u>	534
<u>(3) The board of county commissioners of the withdrawing</u>	535
<u>county adopts a resolution under division (A) of this section</u>	536
<u>proposing a tax under this section that specifies that the first</u>	537
<u>tax year the tax is to be levied by the board is the tax year</u>	538
<u>after the year the tax described in division (G)(2) of this</u>	539
<u>section expires or is renewed or replaced, as authorized under</u>	540
<u>division (B) of section 340.01 of the Revised Code.</u>	541
<u>In addition to the certification required under division</u>	542
<u>(B)(1) of section 5705.03 of the Revised Code, the county</u>	543
<u>auditor shall certify to the board of county commissioners that</u>	544
<u>the proposed tax described in division (G)(3) of this section is</u>	545
<u>a renewal, renewal and decrease, or renewal and increase for the</u>	546
<u>purpose of being identified as such in the proposed tax's</u>	547
<u>election notice and ballot language under section 5705.25 of the</u>	548
<u>Revised Code if the collections in the first year the tax is to</u>	549
<u>be levied, calculated using only carryover property in the</u>	550
<u>county as defined in section 319.301 of the Revised Code, is</u>	551
<u>equal to, less than, or more than, respectively, the collections</u>	552
<u>of the tax described in division (G)(2) of this section in the</u>	553
<u>county in the last tax year such tax is to be levied in the</u>	554
<u>county.</u>	555

In addition to certifying to the board of elections the 556  
county auditor's certification provided under division (B) (1) of 557  
section 5705.03 of the Revised Code, the board of county 558  
commissioners shall certify to the board of elections the county 559  
auditor's certification provided under division (G) of this 560  
section. 561

Notwithstanding section 5705.25 of the Revised Code, the 562  
election notice and ballot language for the question of a tax 563  
described under (G) (3) of this section shall specify that the 564  
tax is a renewal, renewal and decrease, or renewal and increase, 565  
as certified by the county auditor under division (G) of this 566  
section. 567

If the tax is approved by electors, the tax shall be 568  
treated as a tax levied for the first time for the purpose of 569  
calculating the reduction under section 319.301 of the Revised 570  
Code. 571

**Section 2.** That existing sections 340.01, 340.02, 340.036, 572  
340.04, 340.30, 5119.363, and 5705.221 of the Revised Code are 573  
hereby repealed. 574

**Section 3.** That section 340.20 of the Revised Code is 575  
hereby repealed. 576

**Section 4.** Section 340.036 of the Revised Code, as amended 577  
by this act, applies to contracts entered into, modified, or 578  
renewed on or after the effective date of this section. 579

The enactment by this act of division (C) of section 580  
340.01 and divisions (D) to (F) of section 5705.221 of the 581  
Revised Code applies to tax years ending on or after the 582  
effective date of this section, regardless of the date the taxes 583  
described in those divisions were approved by electors. 584

The enactment by this act of division (G) of section	585
5705.221 of the Revised Code applies to resolutions described	586
under division (G) (3) of that section, as enacted by this act,	587
adopted on or after one hundred days after the effective date of	588
this section.	589