

AN ACT

To amend sections 9.901, 101.82, 101.83, 101.84, 101.85, 101.86, 101.87, 107.12, 109.71, 135.143, 149.301, 149.302, 149.43, 154.01, 154.22, 174.06, 189.10, 505.375, 924.01, 924.04, 924.07, 924.09, 924.24, 924.25, 924.26, 1501.012, 1501.07, 1503.03, 1505.05, 1505.12, 1505.13, 1510.01, 1510.02, 1510.04, 1510.05, 1510.06, 1510.08, 1510.09, 1510.10, 1510.11, 1513.27, 1513.28, 1513.30, 1513.31, 1513.32, 1513.37, 1517.23, 1546.06, 1547.81, 1551.35, 1557.06, 2933.82, 3334.03, 3334.08, 3701.344, 3701.77, 3702.71, 3702.79, 3705.35, 3705.36, 3707.521, 3711.20, 3727.39, 3727.41, 3745.015, 3772.02, 3905.04, 3905.481, 3905.484, 3905.485, 3905.486, 3905.88, 3929.51, 4121.61, 4503.515, 4740.14, 5903.02, 5911.09, and 5911.12, and to enact section 924.17, and to repeal sections 109.561, 149.303, 193.01, 193.03, 193.05, 193.07, 193.09, 1505.11, 1506.12, 1513.29, 1517.03, 1517.04, 1521.19, 1546.30, 1546.31, 3333.58, 3701.346, 3701.773, 3701.774, 3702.80, 3702.81, 3727.31, 3727.311, 3727.312, 3727.313, 3727.32, 3727.321, 3905.483, and 4121.70 of the Revised Code, and to amend Sections 729.10 and 729.11 of Am. Sub. H.B. 483 of the 130th General Assembly, as subsequently amended, and to repeal Sections 259.270, 263.560, 327.320, 737.10, and 745.10 of Am. Sub. H.B. 64 of the 131st General Assembly, Sections 323.234, 323.235, 747.10, and 753.30 of Am. Sub. H.B. 59 of the 130th General Assembly, Section 5 of Am. Sub. H.B. 487 of the 130th General Assembly, Section 5 of Sub. H.B. 5 of the 130th General Assembly, Section 3 of Sub. H.B. 276 of the 129th General Assembly, Section 209.40 of Am. Sub. H.B. 153 of the 129th General Assembly, Section 371.60.80 of Am. Sub. H.B. 153 of the 129th General Assembly as subsequently amended, Section 701.40 of Am. Sub. H.B. 153 of the 129th General Assembly as subsequently amended, Sections 751.13 and 751.20 of Am. Sub. H.B. 1 of the 128th General Assembly, Section 701.05 of Am. Sub. H.B. 1 of the 128th General Assembly as subsequently amended, Section 755.40 of Am. Sub. H.B. 2 of the 128th General Assembly, Section 5 of Sub. S.B. 162 of the 128th General Assembly as subsequently amended, Section 313 of Am. Sub. H.B. 420 of the 127th General Assembly, Section 375.60.80 of Am. Sub. H.B. 119 of the 127th General Assembly, Section 560.03 of Am. Sub. H.B. 66 of the 126th General Assembly, Section 3 of Am. Sub. S.B. 311 of the 126th General Assembly, Section 8 of Am. Sub. S.B. 311 of the 126th General Assembly as subsequently amended, Section 3 of Sub. H.B. 204 of the 125th General Assembly, and Section

5 of Sub. H.B. 57 of the 124th General Assembly, to extend the deadline of the Criminal Justice Recodification Committee recommendations to June 30, 2017, to modify the provisions regarding the membership of the Committee, to modify the Treasurer of State's authority to invest the interim funds of the state, to authorize the conveyance of, and the granting of perpetual easements to, state-owned real property, to implement the recommendations of the Sunset Review Committee by abolishing, terminating, transferring, or renewing various agencies and by requiring a Sunset Review Committee to be convened during each odd-numbered General Assembly, and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 9.901, 101.82, 101.83, 101.84, 101.85, 101.86, 101.87, 107.12, 109.71, 135.143, 149.301, 149.302, 149.43, 154.01, 154.22, 174.06, 189.10, 505.375, 924.01, 924.04, 924.07, 924.09, 924.24, 924.25, 924.26, 1501.012, 1501.07, 1503.03, 1505.05, 1505.12, 1505.13, 1510.01, 1510.02, 1510.04, 1510.05, 1510.06, 1510.08, 1510.09, 1510.10, 1510.11, 1513.27, 1513.28, 1513.30, 1513.31, 1513.32, 1513.37, 1517.23, 1546.06, 1547.81, 1551.35, 1557.06, 2933.82, 3334.03, 3334.08, 3701.344, 3701.77, 3702.71, 3702.79, 3705.35, 3705.36, 3707.521, 3711.20, 3727.39, 3727.41, 3745.015, 3772.02, 3905.04, 3905.481, 3905.484, 3905.485, 3905.486, 3905.88, 3929.51, 4121.61, 4503.515, 4740.14, 5903.02, 5911.09, and 5911.12 be amended and section 924.17 of the Revised Code be enacted to read as follows:

Sec. 9.901. (A)(1) Health care plans that provide benefits to persons employed by public employers as defined by this section may consider best practices established by the former school employees health care board or identified by the department of administrative services. All policies or contracts for health care benefits that are issued or renewed after the expiration of any applicable collective bargaining agreement may consider any best practices identified under this section at the time of renewal. Health care plans that contain the best practices may be self-insured.

(2) As used in this section:

(a) "Public employer" means political subdivisions, public school districts, or state institutions of higher education.

(b) "Public school district" means a city, local, exempted village, or joint vocational school district; a STEM school established under Chapter 3326. of the Revised Code; or an educational service center. "Public school district" does not mean a community school established under Chapter 3314. of the Revised Code.

(c) "State institution of higher education" or "state institution" means a state institution of higher education as defined in section 3345.011 of the Revised Code.

(d) "Political subdivision" has the same meaning as defined in section 9.833 of the Revised Code.

(e) A "health care plan" includes group policies, contracts, and agreements that provide hospital, surgical, or medical expense coverage, including self-insured plans. A "health care plan" does not include an individual plan offered to the employees of a political subdivision, public school

district, or state institution, or a plan that provides coverage only for specific disease or accidents, or a hospital indemnity, medicare supplement, or other plan that provides only supplemental benefits, paid for by the employees of a political subdivision, public school district, or state institution.

(f) A "health plan sponsor" means a political subdivision, public school district, a state institution of higher education, a consortium of political subdivisions, public school districts, or state institutions, or a council of governments.

(B) The department of administrative services shall do all of the following:

(1) Identify strategies to manage health care costs;

(2) Study the potential benefits of state or regional consortiums of public employers' health care plans;

(3) Study information regarding the health care plans offered by political subdivisions, public school districts, state institutions, and existing consortiums;

(4) Provide representative cost estimates of options for health care plans for political subdivisions, public school districts, and state institutions of higher education in accordance with division (A) of this section separate from the plans for state agencies;

(5) Study and release standards that may be considered the best practices for health care plans offered to employees of political subdivisions, public school districts, and state institutions;

(6) Require that plans the health plan sponsors administer make readily available to the public all cost and design elements of the plan;

(7) Promote cooperation among all organizations affected by this section in identifying the elements for successful implementation of this section; and

(8) Promote cost containment measures aligned with patient, plan, and provider management strategies in developing and managing health care plans.

~~(C) The director of administrative services may convene a public health care advisory committee to assist in studying the issues discussed in this section.~~

~~(D)~~ Any health care plan providing coverage for the employees of political subdivisions, public school districts, or state institutions of higher education, or that have provided coverage within two years before June 30, 2011, shall provide nonidentifiable aggregate claims and administrative data for the coverage provided as required by the department, without charge, within thirty days after receiving a written request from the department. The claims data shall include data relating to employee group benefit sets, demographics, and claims experience.

~~(E)~~~~(D)~~ The department may work with other state agencies to obtain services as the department deems necessary for the implementation and operation of this section, based on demonstrated experience and expertise in administration, management, data handling, actuarial studies, quality assurance, or for other needed services.

~~(F)~~~~(E)~~ The department shall hire staff as necessary to provide administrative support to the department and the public employee health care plan program established by this section.

~~(G)~~~~(F)~~ Nothing in this section shall be construed as prohibiting political subdivisions, public school districts, or state institutions from consulting with and compensating insurance agents and brokers for professional services or from establishing a self-insurance program.

~~(H)~~~~(G)~~ Pursuant to Chapter 117. of the Revised Code, the auditor of state shall conduct all necessary and required audits of the department. The auditor of state, upon request, also shall furnish

to the department copies of audits of political subdivisions, public school districts, or consortia performed by the auditor of state.

Sec. 101.82. As used in sections 101.82 to 101.87 of the Revised Code:

(A) "Agency" means any board, commission, committee, or council, or any other similar state public body required to be established pursuant to state statutes for the exercise of any function of state government and to which members are appointed or elected. "Agency" does not include the following:

(1) The general assembly, or any commission, committee, or other body composed entirely of members of the general assembly;

(2) Any court;

(3) Any public body created by or directly pursuant to the constitution of this state;

(4) The board of trustees of any institution of higher education financially supported in whole or in part by the state;

(5) Any public body that has the authority to issue bonds or notes or that has issued bonds or notes that have not been fully repaid;

(6) The public utilities commission of Ohio;

(7) The consumers' counsel governing board;

(8) The Ohio board of regents;

(9) Any state board or commission that has the authority to issue any final adjudicatory order that may be appealed to the court of common pleas under Chapter 119. of the Revised Code;

(10) Any board of elections;

(11) The board of directors of the Ohio insurance guaranty association and the board of governors of the Ohio fair plan underwriting association;

(12) The Ohio public employees deferred compensation board;

(13) The Ohio retirement study council;

(14) The board of trustees of the Ohio police and fire pension fund, public employees retirement board, school employees retirement board, state highway patrol retirement board, and state teachers retirement board;

(15) The industrial commission;

(16) The parole board;

(17) The board of tax appeals;

(18) The controlling board;

(19) The release authority of department of youth services;

(20) The environmental review appeals commission;

(21) The Ohio ethics commission;

(22) The Ohio public works commission;

(23) The self-insuring employers evaluation board;

(24) The state board of deposit;

(25) The state employment relations board; and

(26) An agency that is exempted from the requirements of sections 101.82 to 101.87 of the Revised Code by the agency's enabling statutes.

(B) "Abolish" means to repeal the statutes creating and empowering an agency, remove its

personnel, and transfer its records to the department of administrative services pursuant to division (E) of section 149.331 of the Revised Code.

(C) "Terminate" means to amend or repeal the statutes creating and empowering an agency, remove its personnel, and reassign its functions and records to another agency or officer designated by the general assembly.

(D) "Transfer" means to amend the statutes creating and empowering an agency so that its functions, records, and personnel are conveyed to another agency or officer.

(E) "Renew" means to continue an agency, and may include amendment of the statutes creating and empowering the agency, or recommendations for changes in agency operation or personnel.

Sec. 101.83. (A) ~~An~~ Unless renewed in accordance with division (D) of this section:

~~(1) An agency in existence on the first day of January 1, 2011, shall expire on in the year of the first regular session of an odd-numbered general assembly expires at the end of the thirty-first day of December 31, 2016, unless the agency is renewed in accordance with division (D) of this section and, if so renewed, shall expire thereafter on the thirty-first day of December of the fourth year after the year in which it was most recently renewed unless the agency is renewed in accordance with division (D) of this section. in the year of the second regular session of that general assembly;~~

~~(2) An agency created after January 1, 2011, that is created on the thirty-first day of December shall expire not later than four years after its creation, unless the agency is renewed in accordance with division (D) of this section. An agency created after January 1, 2011, that is created on any other date shall be considered for the purpose of this section to have been created on the preceding thirty-first day of December, and the agency shall expire not later than four years after the date it was considered to have been created, unless the agency is renewed in accordance with division (D) of this section during an even-numbered general assembly expires at the end of the thirty-first day of December in the year of the second regular session of the next odd-numbered general assembly; and~~

~~(3) An agency created during an odd-numbered general assembly expires at the end of the thirty-first day of December in the year of the second regular session of the next odd-numbered general assembly.~~

Any act creating or renewing an agency shall contain a distinct section providing a specific expiration date for the agency in accordance with this division.

(B) If the general assembly does not renew or transfer an agency on or before its expiration date, it ~~shall expire~~ expires on that date.

The director of budget and management shall not authorize the expenditure of any moneys for any agency on or after the date of its expiration.

(C) The general assembly may provide by law for the orderly, efficient, and expeditious conclusion of an agency's business and operation. The rules, orders, licenses, contracts, and other actions made, taken, granted, or performed by the agency shall continue in effect according to their terms notwithstanding the agency's abolition, unless the general assembly provides otherwise by law. The general assembly may provide by law for the temporary or permanent transfer of some or all of a terminated or transferred agency's functions and personnel to a successor agency or officer.

The abolition, termination, or transfer of an agency ~~shall~~ does not cause the termination or

dismissal of any claim pending against the agency by any person, or any claim pending against any person by the agency. Unless the general assembly provides otherwise by law for the substitution of parties, the attorney general shall succeed the agency with reference to any pending claim.

(D) An agency may be renewed by passage of a bill that continues the statutes creating and empowering the agency, that amends or repeals those statutes, or that enacts new statutes, to improve agency usefulness, performance, or effectiveness.

Sec. 101.84. (A) ~~There is hereby created the~~ A sunset review committee, to be shall be created to function during each odd-numbered general assembly. The committee shall be composed of nine members ~~and function in calendar years 2015 and 2016.~~ The president of the senate shall appoint three members of the senate to the committee, not more than two of whom shall be members of the same political party. The speaker of the house of representatives shall appoint three members of the house of representatives to the committee, not more than two of whom shall be members of the same political party. The governor, with the advice and consent of the senate, shall appoint three members to the committee, not more than two of whom shall be members of the same political party. Members shall be appointed within fifteen days after the commencement of the first regular session of ~~the 131st~~ each odd-numbered general assembly.

(B) Each member of the committee who is appointed by the president of the senate or the speaker of the house of representatives shall serve during that committee member's term of office or until that committee member no longer is a member of the senate or the house of representatives, whichever is applicable. Each member of the committee who is appointed by the governor shall serve a two-year term that ends on the thirty-first day of December ~~in 2016~~ in the year of the second regular session of the general assembly. A vacancy on the committee shall be filled in the same manner as the original appointment.

In the first regular session of the ~~131st~~ general assembly, the chairperson of the committee shall be a member of the house of representatives, and the vice-chairperson of the committee shall be a member of the senate. In the second regular session of the ~~131st~~ general assembly, the chairperson of the committee shall be a member of the senate, and the vice-chairperson of the committee shall be a member of the house of representatives.

Members of the committee shall receive no compensation, but shall be reimbursed for their necessary expenses incurred in the performance of their official duties.

(C) The committee shall meet not later than thirty days after the first day of the first regular session of the ~~131st~~ general assembly to choose a chairperson and to commence establishment of the schedule for agency review provided for in section 101.85 of the Revised Code or perform other committee duties under sections 101.82 to 101.87 of the Revised Code. Five members of the committee ~~shall~~ constitute a quorum for the conduct of committee business.

Sec. 101.85. (A) ~~The~~ A sunset review committee, not later than sixty days after its first meeting in 2015, shall schedule for review each agency in existence on the first day of January 1, 2015 in the year of the first regular session of the general assembly. The committee, by a unanimous vote, also may schedule for review any state board or commission described in division (A)(9) of section 101.82 of the Revised Code that is in existence on that date, and any board or commission so scheduled shall be considered an agency for purposes of sections 101.82 to 101.87 of the Revised Code.

(B) The chairperson of the committee shall send a copy of the schedule for review of agencies for ~~calendar year 2015 and calendar year 2016~~ each regular session of the general assembly to each of the agencies scheduled for review during that ~~year-session~~ and to the director of the legislative service commission. The director shall publish a copy of the schedule in the ~~Ohio~~ Administrative Code and in the register of Ohio ~~created under section 103.051 of the Revised Code~~. The commission shall provide the committee with a list of agencies, and with a list of state boards and commissions described in division (A)(9) of section 101.82 of the Revised Code, in existence on the first day of January 1, 2015 in the year of the first regular session of the general assembly, to assist the committee in identifying agencies and in exercising its duties under sections 101.82 to 101.87 of the Revised Code with respect to those agencies.

Sec. 101.86. (A) Not later than six months prior to the date on which an agency ~~in existence on January 1, 2015~~, is scheduled to expire under division (A) of section 101.83 of the Revised Code, the sunset review committee shall hold hearings to receive the testimony of the public and of the chief executive officer of each agency scheduled for review, and otherwise shall consider and evaluate the usefulness, performance, and effectiveness of the agency.

(B) Each agency that is scheduled for review shall submit to the committee a report that contains all of the following information:

- (1) The agency's primary purpose and its various goals and objectives;
- (2) The agency's past and anticipated workload, the number of staff required to complete that workload, and the agency's total number of staff;
- (3) The agency's past and anticipated budgets and its sources of funding;
- (4) The number of members of its governing board or other governing entity and their compensation, if any.

(C) Each agency shall have the burden of demonstrating to the committee a public need for its continued existence. In determining whether an agency has demonstrated that need, the committee shall consider all of the following:

- (1) The extent to which the agency has permitted qualified applicants to serve the public;
- (2) The cost-effectiveness of the agency in terms of number of employees, services rendered, and administrative costs incurred, both past and present;
- (3) The extent to which the agency has operated in the public interest, and whether its operation has been impeded or enhanced by existing statutes and procedures and by budgetary, resource, and personnel practices;
- (4) Whether the agency has recommended statutory changes to the general assembly that would benefit the public as opposed to the persons regulated by the agency, if any, and whether its recommendations and other policies have been adopted and implemented;
- (5) Whether the agency has required any persons it regulates to report to it the impact of agency rules and decisions on the public as they affect service costs and service delivery;
- (6) Whether persons regulated by the agency, if any, have been required to assess problems in their business operations that affect the public;
- (7) Whether the agency has encouraged public participation in its rule-making and decision-making;
- (8) The efficiency with which formal public complaints filed with the agency have been

processed to completion;

(9) Whether the programs or services of the agency duplicate or overlap those of other agencies;

(10) Whether the purpose for which the agency was created has been fulfilled, has changed, or no longer exists;

(11) Whether federal law requires that the agency be renewed in some form;

(12) Changes needed in the enabling laws of the agency in order for it to comply with the criteria suggested by the considerations listed in divisions (C)(1) to (11) of this section.

(D) In its initial review of each agency, the committee, whenever possible, shall realign agency titles to conform to the following descriptions:

(1) Commission: an administrative appeals or hearing agency;

(2) Authority: an agency empowered to issue bonds or notes;

(3) Board: an agency having a licensing function only;

(4) Council: an advisory body to a major agency or department;

(5) Committee: an advisory body to a minor agency or department.

Sec. 101.87. (A) After the completion of the evaluation of all agencies under section 101.86 of the Revised Code, the sunset review committee shall prepare and publish a report of its findings and recommendations. The committee shall furnish a copy of the report to the president of the senate, the speaker of the house of representatives, the governor, and each affected agency. The report shall be made available to the public in the offices of the house of representatives and senate clerks during reasonable hours. As part of the report, the committee shall recommend to the general assembly, in bill form, one or more of the following:

(1) Amendment or repeal of the statutes that created and empowered an agency, to abolish or terminate the agency;

(2) Amendment or repeal of the statutes that created and empowered an agency, or enactment of new statutes, to terminate the agency, to transfer the agency, or to improve the agency's usefulness, performance, or effectiveness;

(3) Amendment or repeal of the statutes that created and empowered two or more agencies, or enactment of new statutes, to reorganize or transfer them and thereby improve agency usefulness, performance, or effectiveness;

(4) Amendment or continuation of the statutes that created and empowered an agency, or enactment of new statutes, to renew the agency.

(B) Recommendations made by the committee shall indicate how or whether their implementation will do each of the following:

(1) Promote economy in the operation of state government;

(2) Improve efficiency in the management of state government;

(3) Improve services rendered to citizens of the state;

(4) Simplify and improve preparation of the state budget;

(5) Conserve the natural resources of the state;

(6) Promote the orderly growth of the state and its government;

(7) Improve the effectiveness of the services performed by the service departments of the state, including the office of budget and management and the department of administrative services;

(8) Avoid duplication of effort by state agencies;

(9) Improve the organization and coordination of the state government in one or more of the ways listed in divisions (B)(1) to (8) of this section.

(C) The office of budget and management, department of administrative services, auditor of state, legislative service commission, and any other state agency shall supply, upon the committee's request, the committee with material, information, and reports needed for the preparation of the report and its recommendations.

(D) A sunset review committee, after having prepared and published a report of its findings and recommendations, and furnished the report as required under this section, ceases to exist.

Sec. 107.12. (A) As used in this section, "organization" means a faith-based or other organization that is exempt from federal income taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended, and provides charitable services to needy residents of this state.

(B) There is hereby established within the office of the governor the governor's office of faith-based and community initiatives. The office shall:

(1) Serve as a clearinghouse of information on federal, state, and local funding for charitable services performed by organizations;

(2) Encourage organizations to seek public funding for their charitable services;

(3) Assist local, state, and federal agencies in coordinating their activities to secure maximum use of funds and efforts that benefit people receiving charitable services from organizations;

(4) Advise the governor, general assembly, and the advisory board of the governor's office of faith-based and community initiatives on the barriers that exist to collaboration between organizations and governmental entities and on ways to remove the barriers.

(C) The governor shall appoint an executive director and such other staff as may be necessary to manage the office and perform or oversee the performance of the duties of the office. Within sixty days after being appointed, and every twelve months thereafter, the executive director shall distribute to the advisory board and review with the board a strategic plan. The executive director shall report to the board at least quarterly on proposed initiatives and policies. A report shall include the condition of the budget and the finances of the office.

(D)(1) There is hereby created the advisory board of the governor's office of faith-based and community initiatives. The board shall consist of the following members:

~~(a) The directors of aging, rehabilitation and correction, health, job and family services, developmental disabilities, mental health and addiction services, and youth services, or their designees~~ Four individuals appointed by the governor;

~~(b) The speaker of the house of representatives shall appoint to the board two members—One member of the house of representatives, not more than one of whom shall be from the same political party and at least one of whom shall be from the legislative black caucus.~~

~~The president of the senate shall appoint to the board two members~~ appointed by the speaker of the house of representatives;

~~(c) One member of the senate, not more than one of whom shall be from the same political party.~~

~~(e) The governor, the appointed by the president of the senate;~~

~~(d) Two individuals to represent the faith-based and other nonprofit community, one appointed by the speaker of the house of representatives, and one appointed by the president of the senate shall each appoint to the board three representatives of the nonprofit, faith-based and other nonprofit community.~~

(2) Terms of the office shall be one year. Any vacancy that occurs on the board shall be filled in the same manner as the original appointment.

(3) Members of the board are not entitled to compensation, but ~~the public~~ members appointed by the governor, the speaker of the house of representatives, and the president of the senate ~~who are representatives of the nonprofit, faith-based and other nonprofit community~~ shall be reimbursed for their actual and necessary expenses that are incurred in relation to board meetings.

(4) The board shall be presided over by a chairperson and a vice-chairperson, who shall be the members of the board who are also members of the house of representatives or the senate. Annually on the first day of January, the chairpersonship and vice-chairpersonship shall alternate between the members of the house of representatives and the senate.

(E) The board shall have the following duties:

(1) Provide direction, guidance, and oversight to the office;

(2) Assist in the dissemination of information about, and in the stimulation of public awareness of, the service programs supported by the office;

(3) Review the budget and finances of the office, proposed initiatives and policies, and the executive director's annual strategic plan at board meetings;

(4) Provide feedback for and proposed modifications of the executive director's strategic plan. Within forty-five days after submitting a strategic plan, the executive director shall contact each advisory board member to obtain feedback. With the approval of the advisory board chairperson, the executive director shall lead a strategic plan discussion at the first board meeting following the distribution of the strategic plan.

(5) Publish a report of its activities and accomplishments on or before the first day of August of each year, and deliver copies of the report to the governor, the speaker and minority leader of the house of representatives, and the president and minority leader of the senate.

(F) No member of the board or organization that the member is affiliated or involved with is eligible to receive any grant that the office administers or assists in administering.

Sec. 109.71. There is hereby created in the office of the attorney general the Ohio peace officer training commission. The commission shall consist of nine members appointed by the governor with the advice and consent of the senate and selected as follows: one member representing the public; two members who are incumbent sheriffs; two members who are incumbent chiefs of police; one member from the bureau of criminal identification and investigation; one member from the state highway patrol; one member who is the special agent in charge of a field office of the federal bureau of investigation in this state; and one member from the department of education, trade and industrial education services, law enforcement training.

This section does not confer any arrest authority or any ability or authority to detain a person, write or issue any citation, or provide any disposition alternative, as granted under Chapter 2935. of the Revised Code.

Pursuant to division (A)(9) of section 101.82 of the Revised Code, the commission is exempt

from the requirements of sections 101.82 to 101.87 of the Revised Code.

As used in sections 109.71 to 109.801 of the Revised Code:

(A) "Peace officer" means:

(1) A deputy sheriff, marshal, deputy marshal, member of the organized police department of a township or municipal corporation, member of a township police district or joint police district police force, member of a police force employed by a metropolitan housing authority under division (D) of section 3735.31 of the Revised Code, or township constable, who is commissioned and employed as a peace officer by a political subdivision of this state or by a metropolitan housing authority, and whose primary duties are to preserve the peace, to protect life and property, and to enforce the laws of this state, ordinances of a municipal corporation, resolutions of a township, or regulations of a board of county commissioners or board of township trustees, or any of those laws, ordinances, resolutions, or regulations;

(2) A police officer who is employed by a railroad company and appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code;

(3) Employees of the department of taxation engaged in the enforcement of Chapter 5743. of the Revised Code and designated by the tax commissioner for peace officer training for purposes of the delegation of investigation powers under section 5743.45 of the Revised Code;

(4) An undercover drug agent;

(5) Enforcement agents of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;

(6) An employee of the department of natural resources who is a natural resources law enforcement staff officer designated pursuant to section 1501.013, a natural resources officer appointed pursuant to section 1501.24, a forest-fire investigator appointed pursuant to section 1503.09, or a wildlife officer designated pursuant to section 1531.13 of the Revised Code;

(7) An employee of a park district who is designated pursuant to section 511.232 or 1545.13 of the Revised Code;

(8) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;

(9) A police officer who is employed by a hospital that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code;

(10) Veterans' homes police officers designated under section 5907.02 of the Revised Code;

(11) A police officer who is employed by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code;

(12) A state university law enforcement officer appointed under section 3345.04 of the Revised Code or a person serving as a state university law enforcement officer on a permanent basis on June 19, 1978, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;

(13) A special police officer employed by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or the department of developmental disabilities pursuant to section 5123.13 of the Revised Code;

(14) A member of a campus police department appointed under section 1713.50 of the Revised Code;

(15) A member of a police force employed by a regional transit authority under division (Y) of section 306.35 of the Revised Code;

(16) Investigators appointed by the auditor of state pursuant to section 117.091 of the Revised Code and engaged in the enforcement of Chapter 117. of the Revised Code;

(17) A special police officer designated by the superintendent of the state highway patrol pursuant to section 5503.09 of the Revised Code or a person who was serving as a special police officer pursuant to that section on a permanent basis on October 21, 1997, and who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;

(18) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code or a person serving as a special police officer employed by a port authority on a permanent basis on May 17, 2000, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;

(19) A special police officer employed by a municipal corporation who has been awarded a certificate by the executive director of the Ohio peace officer training commission for satisfactory completion of an approved peace officer basic training program and who is employed on a permanent basis on or after March 19, 2003, at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended;

(20) A police officer who is employed by an owner or operator of an amusement park that has an average yearly attendance in excess of six hundred thousand guests and that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by a judge of the appropriate municipal court or county court pursuant to section 4973.17 of the Revised Code;

(21) A police officer who is employed by a bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions, who has been appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code, and who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of a state, county, municipal, or department of natural resources peace officer basic training program;

(22) An investigator, as defined in section 109.541 of the Revised Code, of the bureau of criminal identification and investigation who is commissioned by the superintendent of the bureau as a special agent for the purpose of assisting law enforcement officers or providing emergency assistance to peace officers pursuant to authority granted under that section;

(23) A state fire marshal law enforcement officer appointed under section 3737.22 of the Revised Code or a person serving as a state fire marshal law enforcement officer on a permanent basis on or after July 1, 1982, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;

(24) A gaming agent employed under section 3772.03 of the Revised Code.

(B) "Undercover drug agent" has the same meaning as in division (B)(2) of section 109.79 of the Revised Code.

(C) "Crisis intervention training" means training in the use of interpersonal and communication skills to most effectively and sensitively interview victims of rape.

(D) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.

Sec. 135.143. (A) The treasurer of state may invest or execute transactions for any part or all of the interim funds of the state in the following classifications of obligations:

(1) United States treasury bills, notes, bonds, or any other obligations or securities issued by the United States treasury or any other obligation guaranteed as to principal and interest by the United States;

(2) Bonds, notes, debentures, or any other obligations or securities issued by any federal government agency or instrumentality;

(3)(a) Bonds, notes, and other obligations of the state of Ohio, including, but not limited to, any obligations issued by the treasurer of state, the Ohio public facilities commission, the Ohio building authority, the Ohio housing finance agency, the Ohio water development authority, and the Ohio turnpike infrastructure commission;

(b) Bonds, notes, and other obligations of any state or political subdivision thereof rated in the three highest categories by at least one nationally recognized standard rating service and purchased through a registered securities broker or dealer, provided the treasurer of state is not the sole purchaser of the bonds, notes, or other obligations at original issuance.

(4)(a) Written repurchase agreements with any eligible Ohio financial institution that is a member of the federal reserve system or federal home loan bank, or any registered United States government securities dealer, under the terms of which agreement the treasurer of state purchases and the eligible financial institution or dealer agrees unconditionally to repurchase any of the securities that are listed in division (A)(1), (2), or (6) of this section. The market value of securities subject to these transactions must exceed the principal value of the repurchase agreement by an amount specified by the treasurer of state, and the securities must be delivered into the custody of the treasurer of state or the qualified trustee or agent designated by the treasurer of state. The agreement shall contain the requirement that for each transaction pursuant to the agreement, the participating institution or dealer shall provide all of the following information:

(i) The par value of the securities;

(ii) The type, rate, and maturity date of the securities;

(iii) A numerical identifier generally accepted in the securities industry that designates the securities.

(b) The treasurer of state also may sell any securities, listed in division (A)(1), (2), or (6) of

this section, regardless of maturity or time of redemption of the securities, under the same terms and conditions for repurchase, provided that the securities have been fully paid for and are owned by the treasurer of state at the time of the sale.

(5) Securities lending agreements with any eligible financial institution that is a member of the federal reserve system or federal home loan bank or any recognized United States government securities dealer, under the terms of which agreements the treasurer of state lends securities and the eligible financial institution or dealer agrees to simultaneously exchange similar securities or cash, equal value for equal value.

Securities and cash received as collateral for a securities lending agreement are not interim funds of the state. The investment of cash collateral received pursuant to a securities lending agreement may be invested only in such instruments specified by the treasurer of state in accordance with a written investment policy.

(6) Various forms of commercial paper issued by any entity that is organized under the laws of the United States or a state, which notes are rated in the two highest categories by two nationally recognized standard rating services, provided that the total amount invested under this section in any commercial paper at any time shall not exceed forty per cent of the state's total average portfolio, as determined and calculated by the treasurer of state;

(7) Bankers acceptances, maturing in two hundred seventy days or less, provided that the total amount invested in bankers acceptances at any time shall not exceed ten per cent of the state's total average portfolio, as determined and calculated by the treasurer of state;

(8) Certificates of deposit in eligible institutions applying for interim moneys as provided in section 135.08 of the Revised Code, including linked deposits as provided in sections 135.61 to 135.67 of the Revised Code, agricultural linked deposits as provided in sections 135.71 to 135.76 of the Revised Code, and housing linked deposits as provided in sections 135.81 to 135.87 of the Revised Code;

(9) The state treasurer's investment pool authorized under section 135.45 of the Revised Code;

(10) Debt interests, other than commercial paper described in division (A)(6) of this section, rated in the three highest categories by two nationally recognized standard rating services and issued by entities that are organized under the laws of the United States or a state, or issued by foreign nations diplomatically recognized by the United States government, or any instrument based on, derived from, or related to such interests, provided that:

(a) The investments in debt interests other than commercial paper shall not exceed in the aggregate twenty-five per cent of the state's portfolio.

(b) The investments in debt interests issued by foreign nations shall not exceed in the aggregate one per cent of the state's portfolio.

The treasurer of state shall invest under division (A)(10) of this section in a debt interest issued by a foreign nation only if the debt interest is backed by the full faith and credit of that foreign nation, and provided that all interest and principal shall be denominated and payable in United States funds.

(c) When added to the investment in commercial paper, the investments in the debt interests of a single issuer shall not exceed in the aggregate five per cent of the state's portfolio.

(d) For purposes of division (A)(10) of this section, a debt interest is rated in the three highest categories by two nationally recognized standard rating services if either the debt interest itself or the issuer of the debt interest is rated, or is implicitly rated, in the three highest categories by two nationally recognized standard rating services.

(e) For purposes of division (A)(10) of this section, the "state's portfolio" means the state's total average portfolio, as determined and calculated by the treasurer of state.

(11) No-load money market mutual funds rated in the highest category by one nationally recognized standard rating service or consisting exclusively of obligations described in division (A) (1), (2), or (6) of this section and repurchase agreements secured by such obligations.

(12) Obligations issued by, or on behalf of a, an Ohio political subdivision issued under Chapter 133. of the Revised Code or Section 12 of Article XVIII, Ohio Constitution, and identified in an agreement described in division (G) of this section.

(B) Whenever, during a period of designation, the treasurer of state classifies public moneys as interim moneys, the treasurer of state shall notify the state board of deposit of such action. The notification shall be given within thirty days after such classification and, in the event the state board of deposit does not concur in such classification or in the investments or deposits made under this section, the board may order the treasurer of state to sell or liquidate any of the investments or deposits, and any such order shall specifically describe the investments or deposits and fix the date upon which they are to be sold or liquidated. Investments or deposits so ordered to be sold or liquidated shall be sold or liquidated for cash by the treasurer of state on the date fixed in such order at the then current market price. Neither the treasurer of state nor the members of the state board of deposit shall be held accountable for any loss occasioned by sales or liquidations of investments or deposits at prices lower than their cost. Any loss or expense incurred in making these sales or liquidations is payable as other expenses of the treasurer's office.

(C) If any securities or obligations invested in by the treasurer of state pursuant to this section are registrable either as to principal or interest, or both, such securities or obligations shall be registered in the name of the treasurer of state.

(D) The treasurer of state is responsible for the safekeeping of all securities or obligations under this section. Any such securities or obligations may be deposited for safekeeping as provided in section 113.05 of the Revised Code.

(E) Interest earned on any investments or deposits authorized by this section shall be collected by the treasurer of state and credited by the treasurer of state to the proper fund of the state.

(F) Whenever investments or deposits acquired under this section mature and become due and payable, the treasurer of state shall present them for payment according to their tenor, and shall collect the moneys payable thereon. The moneys so collected shall be treated as public moneys subject to sections 135.01 to 135.21 of the Revised Code.

(G) The treasurer of state and any ~~political subdivision entity~~ issuing obligations referred to in division (A)(12) of this section, which obligations mature within one year from the original date of issuance, may enter into an agreement providing for:

(1) The purchase of those obligations by the treasurer of state on terms and subject to conditions set forth in the agreement;

(2) The payment ~~by the political subdivision~~ to the treasurer of state of a reasonable fee as

consideration for the agreement of the treasurer of state to purchase those obligations; provided, however, that the treasurer of state shall not be authorized to enter into any such agreement with a board of education of a school district that has an outstanding obligation with respect to a loan received under authority of section 3313.483 of the Revised Code.

(H) For purposes of division (G) of this section, a fee shall not be considered reasonable unless it is set to recover only the direct costs, a reasonable estimate of the indirect costs associated with the purchasing of obligations ~~of a political subdivision~~ under division (G) of this section and any reselling of the obligations or any interest in the obligations, including interests in a fund comprised of the obligations, and the administration thereof. No money from the general revenue fund shall be used to subsidize the purchase or resale of these obligations.

(I) All money collected by the treasurer of state from the fee imposed by division (G) of this section shall be deposited to the credit of the state political subdivision obligations fund, which is hereby created in the state treasury. Money credited to the fund shall be used solely to pay the treasurer of state's direct and indirect costs associated with purchasing and reselling obligations ~~of a political subdivision~~ under division (G) of this section.

(J) As used in this section, "political subdivision" means a county, township, municipal corporation, ~~or school district,~~ or other body corporate and politic responsible for governmental activities in a geographic area smaller than that of the state.

Sec. 149.301. (A) There is hereby created the Ohio historic site preservation advisory board, to consist of seventeen members appointed by the governor with the advice and consent of the senate. Terms of office shall be for three years, commencing on the fifteenth day of January and ending on the fourteenth day of January. Each member shall hold office from the date of the member's appointment until the end of the term for which the member was appointed. Vacancies shall be filled by appointments by the governor with the advice and consent of the senate. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

(B) The members of the advisory board shall include, but shall not be limited to, at least one individual chosen from each of the following groups:

- (1) Historians;
- (2) Archaeologists;
- (3) Architectural historians;
- (4) Architects;
- (5) Historical architects;
- (6) American Indians.

(C) The advisory board may include, but shall not be limited to, individuals chosen from the following organizations and fields:

- (1) Professional planners;
- (2) ~~Recreation and resources council;~~
- (~~3~~) Ohio travel council;
- (~~4~~)(3) Department of administrative services;

- (5)-(4) Ohio arts council;
- (6)-(5) Ohio archaeological council;
- (7)-(6) Patriotic and veterans' organizations;
- (8)-(7) Local historical societies;
- (9)-(8) Department of natural resources;
- (10)-(9) Professional engineers;
- (11)-(10) Attorneys at law.

The advisory board shall assist the Ohio history connection with its site preservation program, suggest legislation necessary to the Ohio history connection's preservation program including the location, designation, restoration, preservation, and maintenance of state historic and archaeological sites and artifacts, and shall encourage the designation of suitable sites on the national register of historic places and under related federal programs. The advisory board shall provide general advice, guidance, and professional recommendations to the state historic preservation officer in conducting the comprehensive statewide survey, preparing the state historic preservation plan, and carrying out the other duties and responsibilities of the state historic preservation office. Members of the advisory board shall serve without compensation.

A majority of the members of the advisory board shall be recognized professionals in the disciplines of history, archaeology, architectural history, architecture, and historical architecture.

Sec. 149.302. (A) The Ohio history connection, in addition to its other functions, shall establish a museum in the vicinity of Wilberforce to be known as the national museum of Afro-American history and culture. For this purpose the Ohio history connection may accept donations of money, property, and personal services, apply for and receive federal assistance, acquire real property or any estate, right, or interest therein, construct buildings, access roads, parking areas, and other appropriate facilities for museum visitors, and exercise any powers incidental to such purpose. ~~The Ohio history connection shall establish the museum in consultation with the national museum of Afro-American history and culture planning committee established in section 149.303 of the Revised Code. The Ohio history connection shall consult with the committee before selecting a museum site and before acquiring or accepting any real property for such purpose. It shall consult with the committee on the design, plans, and specifications for the construction or modification of any buildings and other museum visitation facilities. The Ohio history connection, in cooperation and consultation with the committee,~~ shall establish an acquisition policy for the museum.

Donations of money received under this section shall be placed in a separate fund within the accounts of the Ohio history connection to be used solely for the necessary expenses of the Ohio history connection incurred in the performance of its duties under this section.

(B) After the Ohio history connection establishes the national museum of Afro-American history and culture, the Ohio history connection shall convey title to the museum and its contents to a private, nonprofit organization which shall operate and maintain the museum. The Ohio history connection shall determine the conditions of the conveyance, ~~and the conveyance and the conditions of the conveyance are subject to approval by the national museum of Afro-American history and culture planning committee.~~ The Ohio history connection shall operate and maintain the museum until the museum and its contents are conveyed as provided in this section. Any historical items or artifacts donated to the Ohio history connection, or to the private, nonprofit organization to which the

Ohio history connection has conveyed the museum and its contents, for placement in the museum, shall remain at the museum as part of its permanent collection. ~~The organization to which the Ohio history connection has conveyed the museum and its contents shall consult with the committee concerning the operation and maintenance of the museum.~~

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

Sec. 149.43. (A) As used in this section:

(1) "Public record" means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for-profit entity operating the alternative school pursuant to section 3313.533 of the Revised Code. "Public record" does not mean any of the following:

- (a) Medical records;
- (b) Records pertaining to probation and parole proceedings or to proceedings related to the imposition of community control sanctions and post-release control sanctions;
- (c) Records pertaining to actions under section 2151.85 and division (C) of section 2919.121 of the Revised Code and to appeals of actions arising under those sections;
- (d) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under sections 3705.12 to 3705.124 of the Revised Code;
- (e) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;
- (f) Records specified in division (A) of section 3107.52 of the Revised Code;
- (g) Trial preparation records;
- (h) Confidential law enforcement investigatory records;
- (i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;
- (j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;
- (k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;
- (l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;
- (m) Intellectual property records;
- (n) Donor profile records;
- (o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;
- (p) Peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant

prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, investigator of the bureau of criminal identification and investigation, or federal law enforcement officer residential and familial information;

(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;

(r) Information pertaining to the recreational activities of a person under the age of eighteen;

(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of the board or director, and in the case of a child fatality review board, child fatality review data submitted by the board to the department of health or a national child death review database, other than the report prepared pursuant to division (A) of section 307.626 of the Revised Code;

(t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;

(u) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section 4751.04 of the Revised Code or contracts under that section with a private or government entity to administer;

(v) Records the release of which is prohibited by state or federal law;

(w) Proprietary information of or relating to any person that is submitted to or compiled by the Ohio venture capital authority created under section 150.01 of the Revised Code;

(x) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency;

(y) Records listed in section 5101.29 of the Revised Code;

(z) Discharges recorded with a county recorder under section 317.24 of the Revised Code, as specified in division (B)(2) of that section;

(aa) Usage information including names and addresses of specific residential and commercial customers of a municipally owned or operated public utility;

(bb) Records described in division (C) of section 187.04 of the Revised Code that are not designated to be made available to the public as provided in that division;

(cc) Information and records that are made confidential, privileged, and not subject to disclosure under divisions (B) and (C) of section 2949.221 of the Revised Code;

(dd) Personal information, as defined in section 149.45 of the Revised Code;

(ee) The confidential name, address, and other personally identifiable information of a program participant in the address confidentiality program established under sections 111.41 to 111.47 of the Revised Code, including the contents of any application for absent voter's ballots,

absent voter's ballot identification envelope statement of voter, or provisional ballot affirmation completed by a program participant who has a confidential voter registration record, and records or portions of records pertaining to that program that identify the number of program participants that reside within a precinct, ward, township, municipal corporation, county, or any other geographic area smaller than the state. As used in this division, "confidential address" and "program participant" have the meaning defined in section 111.41 of the Revised Code.

(ff) Orders for active military service of an individual serving or with previous service in the armed forces of the United States, including a reserve component, or the Ohio organized militia, except that, such order becomes a public record on the day that is fifteen years after the published date or effective date of the call to order.

(2) "Confidential law enforcement investigatory record" means any record that pertains to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature, but only to the extent that the release of the record would create a high probability of disclosure of any of the following:

(a) The identity of a suspect who has not been charged with the offense to which the record pertains, or of an information source or witness to whom confidentiality has been reasonably promised;

(b) Information provided by an information source or witness to whom confidentiality has been reasonably promised, which information would reasonably tend to disclose the source's or witness's identity;

(c) Specific confidential investigatory techniques or procedures or specific investigatory work product;

(d) Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential information source.

(3) "Medical record" means any document or combination of documents, except births, deaths, and the fact of admission to or discharge from a hospital, that pertains to the medical history, diagnosis, prognosis, or medical condition of a patient and that is generated and maintained in the process of medical treatment.

(4) "Trial preparation record" means any record that contains information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding, including the independent thought processes and personal trial preparation of an attorney.

(5) "Intellectual property record" means a record, other than a financial or administrative record, that is produced or collected by or for faculty or staff of a state institution of higher learning in the conduct of or as a result of study or research on an educational, commercial, scientific, artistic, technical, or scholarly issue, regardless of whether the study or research was sponsored by the institution alone or in conjunction with a governmental body or private concern, and that has not been publicly released, published, or patented.

(6) "Donor profile record" means all records about donors or potential donors to a public institution of higher education except the names and reported addresses of the actual donors and the date, amount, and conditions of the actual donation.

(7) "Peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth

services employee, firefighter, EMT, investigator of the bureau of criminal identification and investigation, or federal law enforcement officer residential and familial information" means any information that discloses any of the following about a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, investigator of the bureau of criminal identification and investigation, or federal law enforcement officer:

(a) The address of the actual personal residence of a peace officer, parole officer, probation officer, bailiff, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, an investigator of the bureau of criminal identification and investigation, or federal law enforcement officer, except for the state or political subdivision in which the peace officer, parole officer, probation officer, bailiff, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, investigator of the bureau of criminal identification and investigation, or federal law enforcement officer resides;

(b) Information compiled from referral to or participation in an employee assistance program;

(c) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information pertaining to, a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, investigator of the bureau of criminal identification and investigation, or federal law enforcement officer;

(d) The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, investigator of the bureau of criminal identification and investigation, or federal law enforcement officer by the peace officer's, parole officer's, probation officer's, bailiff's, prosecuting attorney's, assistant prosecuting attorney's, correctional employee's, community-based correctional facility employee's, youth services employee's, firefighter's, EMT's, investigator of the bureau of criminal identification and investigation's, or federal law enforcement officer's employer;

(e) The identity and amount of any charitable or employment benefit deduction made by the peace officer's, parole officer's, probation officer's, bailiff's, prosecuting attorney's, assistant prosecuting attorney's, correctional employee's, community-based correctional facility employee's, youth services employee's, firefighter's, EMT's, investigator of the bureau of criminal identification and investigation's, or federal law enforcement officer's employer from the peace officer's, parole officer's, probation officer's, bailiff's, prosecuting attorney's, assistant prosecuting attorney's, correctional employee's, community-based correctional facility employee's, youth services employee's, firefighter's, EMT's, investigator of the bureau of criminal identification and investigation's, or federal law enforcement officer's compensation unless the amount of the deduction is required by state or federal law;

(f) The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge

card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, investigator of the bureau of criminal identification and investigation, or federal law enforcement officer;

(g) A photograph of a peace officer who holds a position or has an assignment that may include undercover or plain clothes positions or assignments as determined by the peace officer's appointing authority.

As used in divisions (A)(7) and (B)(9) of this section, "peace officer" has the same meaning as in section 109.71 of the Revised Code and also includes the superintendent and troopers of the state highway patrol; it does not include the sheriff of a county or a supervisory employee who, in the absence of the sheriff, is authorized to stand in for, exercise the authority of, and perform the duties of the sheriff.

As used in divisions (A)(7) and (B)(9) of this section, "correctional employee" means any employee of the department of rehabilitation and correction who in the course of performing the employee's job duties has or has had contact with inmates and persons under supervision.

As used in divisions (A)(7) and (B)(9) of this section, "youth services employee" means any employee of the department of youth services who in the course of performing the employee's job duties has or has had contact with children committed to the custody of the department of youth services.

As used in divisions (A)(7) and (B)(9) of this section, "firefighter" means any regular, paid or volunteer, member of a lawfully constituted fire department of a municipal corporation, township, fire district, or village.

As used in divisions (A)(7) and (B)(9) of this section, "EMT" means EMTs-basic, EMTs-I, and paramedics that provide emergency medical services for a public emergency medical service organization. "Emergency medical service organization," "EMT-basic," "EMT-I," and "paramedic" have the same meanings as in section 4765.01 of the Revised Code.

As used in divisions (A)(7) and (B)(9) of this section, "investigator of the bureau of criminal identification and investigation" has the meaning defined in section 2903.11 of the Revised Code.

As used in divisions (A)(7) and (B)(9) of this section, "federal law enforcement officer" has the meaning defined in section 9.88 of the Revised Code.

(8) "Information pertaining to the recreational activities of a person under the age of eighteen" means information that is kept in the ordinary course of business by a public office, that pertains to the recreational activities of a person under the age of eighteen years, and that discloses any of the following:

(a) The address or telephone number of a person under the age of eighteen or the address or telephone number of that person's parent, guardian, custodian, or emergency contact person;

(b) The social security number, birth date, or photographic image of a person under the age of eighteen;

(c) Any medical record, history, or information pertaining to a person under the age of eighteen;

(d) Any additional information sought or required about a person under the age of eighteen

for the purpose of allowing that person to participate in any recreational activity conducted or sponsored by a public office or to use or obtain admission privileges to any recreational facility owned or operated by a public office.

(9) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(10) "Post-release control sanction" has the same meaning as in section 2967.01 of the Revised Code.

(11) "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in section 149.011 of the Revised Code.

(12) "Designee" and "elected official" have the same meanings as in section 109.43 of the Revised Code.

(B)(1) Upon request and subject to division (B)(8) of this section, all public records responsive to the request shall be promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. Subject to division (B)(8) of this section, upon request, a public office or person responsible for public records shall make copies of the requested public record available at cost and within a reasonable period of time. If a public record contains information that is exempt from the duty to permit public inspection or to copy the public record, the public office or the person responsible for the public record shall make available all of the information within the public record that is not exempt. When making that public record available for public inspection or copying that public record, the public office or the person responsible for the public record shall notify the requester of any redaction or make the redaction plainly visible. A redaction shall be deemed a denial of a request to inspect or copy the redacted information, except if federal or state law authorizes or requires a public office to make the redaction.

(2) To facilitate broader access to public records, a public office or the person responsible for public records shall organize and maintain public records in a manner that they can be made available for inspection or copying in accordance with division (B) of this section. A public office also shall have available a copy of its current records retention schedule at a location readily available to the public. If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under this section such that the public office or the person responsible for the requested public record cannot reasonably identify what public records are being requested, the public office or the person responsible for the requested public record may deny the request but shall provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.

(3) If a request is ultimately denied, in part or in whole, the public office or the person responsible for the requested public record shall provide the requester with an explanation, including legal authority, setting forth why the request was denied. If the initial request was provided in writing, the explanation also shall be provided to the requester in writing. The explanation shall not preclude the public office or the person responsible for the requested public record from relying upon additional reasons or legal authority in defending an action commenced under division (C) of this section.

(4) Unless specifically required or authorized by state or federal law or in accordance with division (B) of this section, no public office or person responsible for public records may limit or condition the availability of public records by requiring disclosure of the requester's identity or the intended use of the requested public record. Any requirement that the requester disclose the requester's identity or the intended use of the requested public record constitutes a denial of the request.

(5) A public office or person responsible for public records may ask a requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested, but may do so only after disclosing to the requester that a written request is not mandatory and that the requester may decline to reveal the requester's identity or the intended use and when a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of the public office or person responsible for public records to identify, locate, or deliver the public records sought by the requester.

(6) If any person chooses to obtain a copy of a public record in accordance with division (B) of this section, the public office or person responsible for the public record may require that person to pay in advance the cost involved in providing the copy of the public record in accordance with the choice made by the person seeking the copy under this division. The public office or the person responsible for the public record shall permit that person to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. When the person seeking the copy makes a choice under this division, the public office or person responsible for the public record shall provide a copy of it in accordance with the choice made by the person seeking the copy. Nothing in this section requires a public office or person responsible for the public record to allow the person seeking a copy of the public record to make the copies of the public record.

(7)(a) Upon a request made in accordance with division (B) of this section and subject to division (B)(6) of this section, a public office or person responsible for public records shall transmit a copy of a public record to any person by United States mail or by any other means of delivery or transmission within a reasonable period of time after receiving the request for the copy. The public office or person responsible for the public record may require the person making the request to pay in advance the cost of postage if the copy is transmitted by United States mail or the cost of delivery if the copy is transmitted other than by United States mail, and to pay in advance the costs incurred for other supplies used in the mailing, delivery, or transmission.

(b) Any public office may adopt a policy and procedures that it will follow in transmitting, within a reasonable period of time after receiving a request, copies of public records by United States mail or by any other means of delivery or transmission pursuant to division (B)(7) of this section. A public office that adopts a policy and procedures under division (B)(7) of this section shall comply with them in performing its duties under that division.

(c) In any policy and procedures adopted under division (B)(7) of this section:

(i) A public office may limit the number of records requested by a person that the office will

physically deliver by United States mail or by another delivery service to ten per month, unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes;

(ii) A public office that chooses to provide some or all of its public records on a web site that is fully accessible to and searchable by members of the public at all times, other than during acts of God outside the public office's control or maintenance, and that charges no fee to search, access, download, or otherwise receive records provided on the web site, may limit to ten per month the number of records requested by a person that the office will deliver in a digital format, unless the requested records are not provided on the web site and unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes.

(iii) For purposes of division (B)(7) of this section, "commercial" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

(8) A public office or person responsible for public records is not required to permit a person who is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation or prosecution if the subject of the investigation or prosecution were an adult, unless the request to inspect or to obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence or made the adjudication with respect to the person, or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justiciable claim of the person.

(9)(a) Upon written request made and signed by a journalist on or after December 16, 1999, a public office, or person responsible for public records, having custody of the records of the agency employing a specified peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, investigator of the bureau of criminal identification and investigation, or federal law enforcement officer shall disclose to the journalist the address of the actual personal residence of the peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, investigator of the bureau of criminal identification and investigation, or federal law enforcement officer and, if the peace officer's, parole officer's, probation officer's, bailiff's, prosecuting attorney's, assistant prosecuting attorney's, correctional employee's, community-based correctional facility employee's, youth services employee's, firefighter's, EMT's, investigator of the bureau of criminal identification and investigation's, or federal law enforcement officer's spouse, former spouse, or child is employed by a public office, the name and address of the employer of the peace officer's, parole officer's, probation officer's, bailiff's, prosecuting attorney's, assistant prosecuting attorney's, correctional employee's, community-based correctional facility employee's, youth services employee's, firefighter's, EMT's, investigator of the bureau of criminal identification and investigation's, or federal law enforcement

officer's spouse, former spouse, or child. The request shall include the journalist's name and title and the name and address of the journalist's employer and shall state that disclosure of the information sought would be in the public interest.

(b) Division (B)(9)(a) of this section also applies to journalist requests for customer information maintained by a municipally owned or operated public utility, other than social security numbers and any private financial information such as credit reports, payment methods, credit card numbers, and bank account information.

(c) As used in division (B)(9) of this section, "journalist" means a person engaged in, connected with, or employed by any news medium, including a newspaper, magazine, press association, news agency, or wire service, a radio or television station, or a similar medium, for the purpose of gathering, processing, transmitting, compiling, editing, or disseminating information for the general public.

(C)(1) If a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may do only one of the following, and not both:

(a) File a complaint with the clerk of the court of claims or the clerk of the court of common pleas under section 2743.75 of the Revised Code;

(b) Commence a mandamus action to obtain a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section, that awards court costs and reasonable attorney's fees to the person that instituted the mandamus action, and, if applicable, that includes an order fixing statutory damages under division (C)(2) of this section. The mandamus action may be commenced in the court of common pleas of the county in which division (B) of this section allegedly was not complied with, in the supreme court pursuant to its original jurisdiction under Section 2 of Article IV, Ohio Constitution, or in the court of appeals for the appellate district in which division (B) of this section allegedly was not complied with pursuant to its original jurisdiction under Section 3 of Article IV, Ohio Constitution.

(2) If a requester transmits a written request by hand delivery or certified mail to inspect or receive copies of any public record in a manner that fairly describes the public record or class of public records to the public office or person responsible for the requested public records, except as otherwise provided in this section, the requester shall be entitled to recover the amount of statutory damages set forth in this division if a court determines that the public office or the person responsible for public records failed to comply with an obligation in accordance with division (B) of this section.

The amount of statutory damages shall be fixed at one hundred dollars for each business day during which the public office or person responsible for the requested public records failed to comply with an obligation in accordance with division (B) of this section, beginning with the day on which the requester files a mandamus action to recover statutory damages, up to a maximum of one thousand dollars. The award of statutory damages shall not be construed as a penalty, but as compensation for injury arising from lost use of the requested information. The existence of this injury shall be conclusively presumed. The award of statutory damages shall be in addition to all

other remedies authorized by this section.

The court may reduce an award of statutory damages or not award statutory damages if the court determines both of the following:

(a) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(b) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(3) In a mandamus action filed under division (C)(1) of this section, the following apply:

(a)(i) If the court orders the public office or the person responsible for the public record to comply with division (B) of this section, the court shall determine and award to the relator all court costs, which shall be construed as remedial and not punitive.

(ii) If the court makes a determination described in division (C)(3)(b)(iii) of this section, the court shall determine and award to the relator all court costs, which shall be construed as remedial and not punitive.

(b) If the court renders a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section or if the court determines any of the following, the court may award reasonable attorney's fees to the relator, subject to the provisions of division (C)(4) of this section:

(i) The public office or the person responsible for the public records failed to respond affirmatively or negatively to the public records request in accordance with the time allowed under division (B) of this section.

(ii) The public office or the person responsible for the public records promised to permit the relator to inspect or receive copies of the public records requested within a specified period of time but failed to fulfill that promise within that specified period of time.

(iii) The public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator commenced the mandamus action, but before the court issued any order concluding whether or not the public office or person was required to comply with division (B) of this section. No discovery may be conducted on the issue of the alleged bad faith of the public office or person responsible for the public records. This division shall not be construed as creating a presumption that the public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator commenced the mandamus action, but before the court issued any order described in this division.

(c) The court shall not award attorney's fees to the relator if the court determines both of the

following:

(i) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(ii) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(4) All of the following apply to any award of reasonable attorney's fees awarded under division (C)(3)(b) of this section:

(a) The fees shall be construed as remedial and not punitive.

(b) The fees awarded shall not exceed the total of the reasonable attorney's fees incurred before the public record was made available to the relator and the fees described in division (C)(4)(c) of this section.

(c) Reasonable attorney's fees shall include reasonable fees incurred to produce proof of the reasonableness and amount of the fees and to otherwise litigate entitlement to the fees.

(d) The court may reduce the amount of fees awarded if the court determines that, given the factual circumstances involved with the specific public records request, an alternative means should have been pursued to more effectively and efficiently resolve the dispute that was subject to the mandamus action filed under division (C)(1) of this section.

(5) If the court does not issue a writ of mandamus under division (C) of this section and the court determines at that time that the bringing of the mandamus action was frivolous conduct as defined in division (A) of section 2323.51 of the Revised Code, the court may award to the public office all court costs, expenses, and reasonable attorney's fees, as determined by the court.

(D) Chapter 1347. of the Revised Code does not limit the provisions of this section.

(E)(1) To ensure that all employees of public offices are appropriately educated about a public office's obligations under division (B) of this section, all elected officials or their appropriate designees shall attend training approved by the attorney general as provided in section 109.43 of the Revised Code. In addition, all public offices shall adopt a public records policy in compliance with this section for responding to public records requests. In adopting a public records policy under this division, a public office may obtain guidance from the model public records policy developed and provided to the public office by the attorney general under section 109.43 of the Revised Code. Except as otherwise provided in this section, the policy may not limit the number of public records that the public office will make available to a single person, may not limit the number of public records that it will make available during a fixed period of time, and may not establish a fixed period of time before it will respond to a request for inspection or copying of public records, unless that period is less than eight hours.

(2) The public office shall distribute the public records policy adopted by the public office under division (E)(1) of this section to the employee of the public office who is the records custodian or records manager or otherwise has custody of the records of that office. The public office shall require that employee to acknowledge receipt of the copy of the public records policy. The public office shall create a poster that describes its public records policy and shall post the poster in a conspicuous place in the public office and in all locations where the public office has branch offices. The public office may post its public records policy on the internet web site of the public office if the public office maintains an internet web site. A public office that has established a manual or handbook of its general policies and procedures for all employees of the public office shall include the public records policy of the public office in the manual or handbook.

(F)(1) The bureau of motor vehicles may adopt rules pursuant to Chapter 119. of the Revised Code to reasonably limit the number of bulk commercial special extraction requests made by a person for the same records or for updated records during a calendar year. The rules may include provisions for charges to be made for bulk commercial special extraction requests for the actual cost of the bureau, plus special extraction costs, plus ten per cent. The bureau may charge for expenses for redacting information, the release of which is prohibited by law.

(2) As used in division (F)(1) of this section:

(a) "Actual cost" means the cost of depleted supplies, records storage media costs, actual mailing and alternative delivery costs, or other transmitting costs, and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services.

(b) "Bulk commercial special extraction request" means a request for copies of a record for information in a format other than the format already available, or information that cannot be extracted without examination of all items in a records series, class of records, or database by a person who intends to use or forward the copies for surveys, marketing, solicitation, or resale for commercial purposes. "Bulk commercial special extraction request" does not include a request by a person who gives assurance to the bureau that the person making the request does not intend to use or forward the requested copies for surveys, marketing, solicitation, or resale for commercial purposes.

(c) "Commercial" means profit-seeking production, buying, or selling of any good, service, or other product.

(d) "Special extraction costs" means the cost of the time spent by the lowest paid employee competent to perform the task, the actual amount paid to outside private contractors employed by the bureau, or the actual cost incurred to create computer programs to make the special extraction. "Special extraction costs" include any charges paid to a public agency for computer or records services.

(3) For purposes of divisions (F)(1) and (2) of this section, "surveys, marketing, solicitation, or resale for commercial purposes" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

(G) A request by a defendant, counsel of a defendant, or any agent of a defendant in a criminal action that public records related to that action be made available under this section shall be considered a demand for discovery pursuant to the Criminal Rules, except to the extent that the Criminal Rules plainly indicate a contrary intent. The defendant, counsel of the defendant, or agent of

the defendant making a request under this division shall serve a copy of the request on the prosecuting attorney, director of law, or other chief legal officer responsible for prosecuting the action.

Sec. 154.01. As used in this chapter:

(A) "Commission" means the Ohio public facilities commission created in section 151.02 of the Revised Code.

(B) "Obligations" means bonds, notes, or other evidences of obligation, including interest coupons pertaining thereto, issued pursuant to Chapter 154. of the Revised Code.

(C) "Bond proceedings" means the order or orders, resolution or resolutions, trust agreement, indenture, lease, and other agreements, amendments and supplements to the foregoing, or any combination thereof, authorizing or providing for the terms and conditions applicable to, or providing for the security of, obligations issued pursuant to Chapter 154. of the Revised Code, and the provisions contained in such obligations.

(D) "State agencies" means the state of Ohio and officers, boards, commissions, departments, divisions, or other units or agencies of the state.

(E) "Governmental agency" means state agencies, state supported and assisted institutions of higher education, municipal corporations, counties, townships, school districts, and any other political subdivision or special district in this state established pursuant to law, and, except where otherwise indicated, also means the United States or any department, division, or agency thereof, and any agency, commission, or authority established pursuant to an interstate compact or agreement.

(F) "Institutions of higher education" and "state supported or state assisted institutions of higher education" means the state universities identified in section 3345.011 of the Revised Code, the northeast Ohio medical university, state universities or colleges at any time created, community college districts, university branch districts, and technical college districts at any time established or operating under Chapter 3354., 3355., or 3357. of the Revised Code, and other institutions for education, including technical education, beyond the high school, receiving state support or assistance for their expenses of operation.

(G) "Governing body" means:

(1) In the case of institutions of higher education, the board of trustees, board of directors, commission, or other body vested by law with the general management, conduct, and control of one or more institutions of higher education;

(2) In the case of a county, the board of county commissioners or other legislative body; in the case of a municipal corporation, the council or other legislative body; in the case of a township, the board of township trustees; in the case of a school district, the board of education;

(3) In the case of any other governmental agency, the officer, board, commission, authority or other body having the general management thereof or having jurisdiction or authority in the particular circumstances.

(H) "Person" means any person, firm, partnership, association, or corporation.

(I) "Bond service charges" means principal, including mandatory sinking fund requirements for retirement of obligations, and interest, and redemption premium, if any, required to be paid by the state on obligations. If not prohibited by the applicable bond proceedings, bond service charges may include costs relating to credit enhancement facilities that are related to and represent, or are intended

to provide a source of payment of or limitation on, other bond service charges.

(J) "Capital facilities" means buildings, structures, and other improvements, and equipment, real estate, and interests in real estate therefor, within the state, and any one, part of, or combination of the foregoing, to serve the general purposes for which the issuing authority is authorized to issue obligations pursuant to Chapter 154. of the Revised Code, including, but not limited to, drives, roadways, parking facilities, walks, lighting, machinery, furnishings, utilities, landscaping, wharves, docks, piers, reservoirs, dams, tunnels, bridges, retaining walls, riprap, culverts, ditches, channels, watercourses, retention basins, standpipes and water storage facilities, waste treatment and disposal facilities, heating, air conditioning and communications facilities, inns, lodges, cabins, camping sites, golf courses, boat and bathing facilities, athletic and recreational facilities, and site improvements.

(K) "Costs of capital facilities" means the costs of acquiring, constructing, reconstructing, rehabilitating, remodeling, renovating, enlarging, improving, equipping, or furnishing capital facilities, and the financing thereof, including the cost of clearance and preparation of the site and of any land to be used in connection with capital facilities, the cost of any indemnity and surety bonds and premiums on insurance, all related direct administrative expenses and allocable portions of direct costs of the commission or issuing authority and department of administrative services, or other designees of the commission under section 154.17 of the Revised Code, cost of engineering and architectural services, designs, plans, specifications, surveys, and estimates of cost, legal fees, fees and expenses of trustees, depositories, and paying agents for the obligations, cost of issuance of the obligations and financing charges and fees and expenses of financial advisers and consultants in connection therewith, interest on obligations, including but not limited to, interest from the date of their issuance to the time when interest is to be covered from sources other than proceeds of obligations, amounts necessary to establish reserves as required by the bond proceedings, costs of audits, the reimbursement of all moneys advanced or applied by or borrowed from any governmental agency, whether to or by the commission or others, from whatever source provided, for the payment of any item or items of cost of the capital facilities, any share of the cost undertaken by the commission pursuant to arrangements made with governmental agencies under division (H) of section 154.06 of the Revised Code, and all other expenses necessary or incident to planning or determining feasibility or practicability with respect to capital facilities, and such other expenses as may be necessary or incident to the acquisition, construction, reconstruction, rehabilitation, remodeling, renovation, enlargement, improvement, equipment, and furnishing of capital facilities, the financing thereof and the placing of the same in use and operation, including any one, part of, or combination of such classes of costs and expenses.

(L) "Public service facilities" means inns, lodges, hotels, cabins, camping sites, scenic trails, picnic sites, restaurants, commissaries, golf courses, boating and bathing facilities and other similar facilities in state parks.

(M) "State parks" means:

- (1) State reservoirs described and identified in section 1546.11 of the Revised Code;
- (2) All lands or interests therein of the state identified as administered by the division of parks and watercraft in the "inventory of state owned lands administered by the department of natural resources as of June 1, 1963," as recorded in the journal of the director, which inventory was prepared by the real estate section of the department and is supported by maps now on file in said

real estate section;

(3) All lands or interests in lands of the state designated after June 1, 1963, as state parks in the journal of the director with the approval of the ~~recreation and resources council created in section 1501.04 of the Revised Code~~ director of natural resources.

State parks do not include any lands or interest in lands of the state administered jointly by two or more divisions of the department of natural resources. The designation of lands as state parks under divisions (M)(1) to (3) of this section is conclusive and such lands shall be under the control of and administered by the division of parks and watercraft. No order or proceeding designating lands as state parks or park purchase areas is subject to any appeal or review by any officer, board, commission, or court.

(N) "Bond service fund" means the applicable fund created for and pledged to the payment of bond service charges under section 154.20, 154.21, 154.22, or 154.23 of the Revised Code, including all moneys and investments, and earnings from investments, credited and to be credited thereto.

(O) "Improvement fund" means the applicable fund created for the payment of costs of capital facilities under section 123.201, 154.20, 154.21, or 154.22 of the Revised Code, including all moneys and investments, and earnings from investments, credited and to be credited thereto.

(P) "Special funds" or "funds" means, except where the context does not permit, the bond service funds, the improvements funds, and any other funds for similar or different purposes created under bond proceedings, including all moneys and investments, and earnings from investments, credited and to be credited thereto.

(Q) "Year" unless the context indicates a different meaning or intent, means a calendar year beginning on the first day of January and ending on the thirty-first day of December.

(R) "Fiscal year" means the period of twelve months beginning on the first day of July and ending on the thirtieth day of June.

(S) "Issuing authority" means the treasurer of state or the officer or employee who by law performs the functions of that office.

(T) "Credit enhancement facilities" has the same meaning as in section 133.01 of the Revised Code.

(U) "Ohio cultural facility" and "Ohio sports facility" have the same meanings as in section 123.28 of the Revised Code.

Sec. 154.22. (A) Subject to authorization by the general assembly under section 154.02 of the Revised Code, the issuing authority may authorize and issue obligations pursuant to this chapter to pay costs of capital facilities for parks and recreation.

(B) Any capital facilities for parks and recreation may be leased by the commission to the department of natural resources and other agreements may be made by the commission and such department with respect to the use or purchase of such capital facilities or, subject to the approval of the director of such department, the commission may lease such capital facilities to, and make other agreements with respect to their use or purchase with, any governmental agency having authority under law to operate such capital facilities, and the director of such department may sublease such capital facilities to, and make other agreements with respect to the use or purchase thereof with, any such governmental agency, or such director may sublease or contract for the operation of such capital facilities in accordance with the applicable provisions of sections 1501.09, 1501.091, and 1501.10 of

the Revised Code, all upon such terms and conditions as the parties may agree upon and pursuant to this chapter, notwithstanding any other provisions of law affecting the leasing, acquisition, or disposition of capital facilities by such parties.

(C) For purposes of this section, "available receipts" means all receipts, including fees, charges, and rentals, derived or to be derived from state parks and public service facilities in any state park or parks, any other receipts of state agencies with respect to parks and recreational facilities, any revenues or receipts derived by the commission from the operation, leasing, or other disposition of capital facilities financed under this section, the proceeds of obligations issued under this section and sections 154.11 and 154.12 of the Revised Code, and also means any gifts, grants, donations, and pledges, and receipts thereon, available for the payment of bond service charges on obligations issued under this section. The issuing authority may pledge all, or such portion as it determines, of the available receipts to the payment of bond service charges on obligations issued under this section and sections 154.11 and 154.12 of the Revised Code and for the establishment and maintenance of any reserves, as provided in the bond proceedings, and make other provisions therein with respect to such available receipts as authorized by this chapter, which provisions shall be controlling notwithstanding any other provision of law pertaining thereto.

(D) The issuing authority may covenant in the bond proceeding that the state and state agencies shall, so long as any obligations issued under this section are outstanding, cause to be charged and collected fees, charges, and rentals for the use of state parks and public service facilities and other fees and charges with respect to parks and recreation sufficient in amount to provide for the payment of bond service charges on such obligations and for the establishment and maintenance of any reserves as provided in the bond proceedings, and such covenants shall be controlling notwithstanding any other provision of law pertaining to such charges except any provision of law prohibiting or limiting charges for the use of swimming facilities of state parks and public service facilities by persons under sixteen years of age.

(E) There is hereby created the parks and recreation bond service trust fund, which shall be in the custody of the treasurer of state but shall be separate and apart from and not a part of the state treasury. All moneys received by or on account of the commission or issuing authority or state agencies and required by the applicable bond proceedings to be deposited, transferred, or allocated to or received for the purposes of the trust fund shall be deposited with the treasurer of state and credited to such fund, subject to applicable provisions of the bond proceedings but without necessity for any act of appropriation. The trust fund is hereby pledged to the payment of bond service charges on the obligations issued pursuant to this section and sections 154.11 and 154.12 of the Revised Code to the extent provided in the applicable bond proceedings, and payment thereof from such fund shall be made or provided for by the treasurer of state in accordance with such bond proceedings without necessity for any act of appropriation.

(F) There is hereby created in the state treasury the parks and recreation improvement fund. Subject to the bond proceedings therefor, all of the proceeds of the sale of obligations issued pursuant to this section shall be credited to such fund, except that any accrued interest received shall be credited to the parks and recreation bond service trust fund. The parks and recreation improvement fund may also be comprised of gifts, grants, appropriated moneys, and other sums and securities received to the credit of such fund. Such fund shall be applied only to the purpose of paying costs of

capital facilities for parks and recreation under the jurisdiction of the department of natural resources or for participation in capital facilities for parks and recreation with the federal government, municipal corporations, counties, or other governmental agencies, or any one or more of them, which participation may be by grants or contributions to them for such capital facilities. All investment earnings on the cash balance in the fund shall be credited to the fund.

(G) All state parks shall be exclusively under the control and administration of the division of parks and watercraft. ~~With the approval of the recreation and resources council created in section 1501.04 of the Revised Code, the~~ The director of natural resources may by order remove from the classification as state parks any of the lands or interests therein referred to in divisions (M)(2) and (3) of section 154.01 of the Revised Code, subject to the limitations, provisions, and conditions in any order authorizing state park revenue bonds, in any trust agreement securing such bonds, or in bond proceedings with respect to obligations issued pursuant to this section. Lands or interests therein so removed shall be transferred to other divisions of the department for administration or may be sold as provided by law. Proceeds of any sale shall be used or transferred as provided in the order authorizing state park revenue bonds or in such trust agreement, or in bond proceedings with respect to obligations issued pursuant to this section, and if no such provision is made shall be transferred to the state park fund created by section 1546.21 of the Revised Code.

(H) This section shall be applied with other applicable provisions of this chapter.

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

Sec. 174.06. (A) There is hereby created the housing trust fund advisory committee. The committee consists of ~~fourteen~~ the following seven members, ~~appointed by the governor appoints as follows to represent organizations committed to housing and housing assistance for , with advice and consent of the Senate, who possess knowledge and experience with respect to the housing needs of~~ low- and moderate-income persons:

(1) One member to represent lenders;

(2) One member to represent ~~for-profit builders and developers.~~ affordable housing developers;

(3) One member to represent ~~the families and individuals included in the income groups targeted for housing and housing assistance under divisions (E) and (F) of section 174.03 of the Revised Code.~~ organizations working to address the housing and other needs of homeless Ohioans;

(4) ~~One member to represent religious, civic, or social service organizations.~~ Two members to represent counties or other local government entities;

(5) ~~One member to represent counties.~~

(6) ~~One member to represent municipal corporations.~~

(7) ~~One member to represent townships.~~

(8) ~~One member to represent local housing authorities.~~

(9) ~~One member to represent fair housing organizations.~~

(10) ~~Three members to represent nonprofit organizations.~~

(11) ~~One member to represent real estate brokers licensed under Chapter 4735. of the Revised Code.~~

~~(12) One member to represent the for-profit rental housing industry~~ (6) A county recorder.

(B)(1) Terms of office are for four years, with each term ending on the same day of the same month as did the term that it succeeds. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Vacancies shall be filled in the manner prescribed for the original appointment. A member appointed to fill a vacancy occurring prior to the expiration of a term shall hold office for the remainder of that term. A member shall continue in office subsequent to the expiration of a term until a successor takes office or until a period of sixty days has elapsed, whichever occurs first.

(2) The governor may remove a member for misfeasance, malfeasance, or willful neglect of duty.

(C)(1) The committee shall select a chairperson from among its members. The committee shall meet at least once each calendar year and upon the call of the chair. Members of the committee serve without compensation, but shall be reimbursed for reasonable and necessary expenses incurred in the discharge of duties.

(2) The department of development shall provide the committee with a meeting place, supplies, and staff assistance as the committee requests.

(D) The committee shall assist the department and the Ohio housing finance agency in defining housing needs and priorities, recommend to the department and agency at least annually how the programs developed under section 174.02 of the Revised Code should be designed to most effectively benefit low- and moderate-income persons, consider an allocation of funds for projects of fifteen units or less, and advise the director of development on whether and how to reallocate money in the low- and moderate-income housing trust fund under division (B) of section 174.02 of the Revised Code.

Sec. 189.10. The local government innovation council shall cease to exist on December 31, ~~2019~~ 2020.

Sec. 505.375. (A)(1)(a) The boards of township trustees of one or more townships and the legislative authorities of one or more municipal corporations, or the legislative authorities of two or more municipal corporations, or the boards of township trustees of two or more townships, may negotiate an agreement to form a fire and ambulance district for the delivery of both fire and ambulance services. The agreement shall be ratified by the adoption of a joint resolution by a majority of the members of each board of township trustees involved and a majority of the members of the legislative authority of each municipal corporation involved. The joint resolution shall specify a date on which the fire and ambulance district shall come into being.

(b) If a joint fire district created under section 505.371 of the Revised Code or a joint ambulance district created under section 505.71 of the Revised Code is dissolved to facilitate the creation of a fire and ambulance district under division (A)(1)(a) of this section, the townships and municipal corporations forming the fire and ambulance district may transfer to the fire and ambulance district any of the funds on hand, moneys and taxes in the process of collection, credits, and real and personal property apportioned to them under division (D) of section 505.371 of the Revised Code or section 505.71 of the Revised Code, as applicable, for use by the fire and ambulance district in accordance with this section.

(2)(a) The board of trustees of a joint ambulance district created under section 505.71 of the

Revised Code and the board of fire district trustees of a joint fire district created under section 505.371 of the Revised Code may negotiate to combine their two joint districts into a single fire and ambulance district for the delivery of both fire and ambulance services, if the geographic area covered by the combining joint districts is exactly the same. Both boards shall adopt a joint resolution ratifying the agreement and setting a date on which the fire and ambulance district shall come into being.

(b) On that date, the joint fire district and the joint ambulance district shall cease to exist, and the power of each to levy a tax upon taxable property shall terminate, except that any levy of a tax for the payment of indebtedness within the territory of the joint fire or joint ambulance district as it was composed at the time the indebtedness was incurred shall continue to be collected by the successor fire and ambulance district if the indebtedness remains unpaid. All funds and other property of the joint districts shall become the property of the fire and ambulance district, unless otherwise provided in the negotiated agreement. The agreement shall provide for the settlement of all debts and obligations of the joint districts.

(B)(1) The governing body of a fire and ambulance district created under division (A)(1) or (2) of this section shall be a board of trustees ~~of at least three but no more than nine members~~, appointed as provided in the agreement creating the district. Members of the board may be compensated at a rate not to exceed thirty dollars per meeting for not more than fifteen meetings per year, and may be reimbursed for all necessary expenses incurred, as provided in the agreement creating the district.

(2) The board shall employ a clerk and other employees as it considers best, including a fire chief or fire prevention officers, and shall fix their compensation. Neither this section nor any other section of the Revised Code requires, or shall be construed to require, that the fire chief of a fire and ambulance district be a resident of the district.

Before entering upon the duties of office, the clerk shall execute a bond, in the amount and with surety to be approved by the board, payable to the state, conditioned for the faithful performance of all of the clerk's official duties. The clerk shall deposit the bond with the presiding officer of the board, who shall file a copy of it, certified by the presiding officer, with the county auditor of the county containing the most territory in the district.

The board also shall provide for the appointment of a fiscal officer for the district and may enter into agreements with volunteer fire companies for the use and operation of fire-fighting equipment. Volunteer firefighters acting under such an agreement are subject to the requirements for volunteer firefighters set forth in division (A) of section 505.38 of the Revised Code.

(3) Employees of the district shall not be removed from office except as provided by sections 733.35 to 733.39 of the Revised Code, except that, to initiate removal proceedings, the board shall designate a private citizen or, if the employee is employed as a firefighter, the board may designate the fire chief, to investigate, conduct the proceedings, and prepare the necessary charges in conformity with those sections, and except that the board shall perform the functions and duties specified for the municipal legislative authority under those sections. The board may pay reasonable compensation to any private citizen hired for services rendered in the matter.

(4) No person shall be appointed as a permanent full-time paid member of the district whose duties include fire fighting, or be appointed as a volunteer firefighter, unless that person has received

a certificate issued under former section 3303.07 or section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program. The board may send its officers and firefighters to schools of instruction designed to promote the efficiency of firefighters and, if authorized in advance, may pay their necessary expenses from the funds used for the maintenance and operation of the district.

The board may choose, by adoption of an appropriate resolution, to have the state board of emergency medical, fire, and transportation services license any emergency medical service organization it operates. If the board adopts such a resolution, Chapter 4766. of the Revised Code, except for sections 4766.06 and 4766.99 of the Revised Code, applies to the organization. All rules adopted under the applicable sections of that chapter also apply to the organization. The board may remove, by resolution, its emergency medical service organization from the jurisdiction of the state board of emergency medical, fire, and transportation services.

(C) The board of trustees of a fire and ambulance district created under division (A)(1) or (2) of this section may exercise the following powers:

(1) Purchase or otherwise provide any fire apparatus, mechanical resuscitators, or other fire or ambulance equipment, appliances, or materials; fire hydrants; and water supply for firefighting purposes that seems advisable to the board;

(2) Provide for the care and maintenance of equipment and, for that purpose, purchase, lease, lease with an option to purchase, or construct and maintain necessary buildings;

(3) Establish and maintain lines of fire-alarm communications within the limits of the district;

(4) Appropriate land for a fire station or medical emergency unit needed in order to respond in reasonable time to a fire or medical emergency, in accordance with Chapter 163. of the Revised Code;

(5) Purchase, appropriate, or accept a deed or gift of land to enlarge or improve a fire station or medical emergency unit;

(6) Purchase, lease, lease with an option to purchase, maintain, and use all materials, equipment, vehicles, buildings, and land necessary to perform its duties;

(7) Contract for a period not to exceed three years with one or more townships, municipal corporations, counties, joint fire districts, joint ambulance districts, governmental agencies, nonprofit corporations, or private ambulance owners located either within or outside the state, to furnish or receive ambulance services or emergency medical services within the several territories of the contracting parties, if the contract is first authorized by all boards of trustees and legislative authorities concerned;

(8) Establish reasonable charges for the use of ambulance or emergency medical services under the same conditions under which a board of fire district trustees may establish those charges under section 505.371 of the Revised Code;

(9) Establish all necessary rules to guard against the occurrence of fires and to protect property and lives against damage and accidents;

(10) Adopt a standard code pertaining to fire, fire hazards, and fire prevention prepared and promulgated by the state or by a public or private organization that publishes a model or standard code;

(11) Provide for charges for false alarms at commercial establishments in the same manner as

joint fire districts are authorized to do under section 505.391 of the Revised Code;

(12) Issue bonds and other evidences of indebtedness, subject to Chapter 133. of the Revised Code, but only after approval by a vote of the electors of the district as provided by section 133.18 of the Revised Code;

(13) To provide the services and equipment it considers necessary, levy a sufficient tax, subject to Chapter 5705. of the Revised Code, on all the taxable property in the district.

(D) Any municipal corporation or township may join an existing fire and ambulance district, whether created under division (A)(1) or (2) of this section, by its legislative authority's adoption of a resolution requesting the membership and upon approval of the board of trustees of the district. Any municipal corporation or township may withdraw from a district, whether created under division (A) (1) or (2) of this section, by its legislative authority's adoption of a resolution ordering withdrawal. Upon its withdrawal, the municipal corporation or township ceases to be a part of the district, and the district's power to levy a tax on taxable property in the withdrawing township or municipal corporation terminates, except that the district shall continue to levy and collect taxes for the payment of indebtedness within the territory of the district as it was composed at the time the indebtedness was incurred.

Upon the withdrawal of any township or municipal corporation from a district, the county auditor of the county containing the most territory in the district shall ascertain, apportion, and order a division of the funds on hand, including funds in the ambulance and emergency medical services fund, moneys and taxes in the process of collection, except for taxes levied for the payment of indebtedness, credits, and real and personal property on the basis of the valuation of the respective tax duplicates of the withdrawing municipal corporation or township and the remaining territory of the district.

(E) As used in this section:

(1) "Governmental agency" includes all departments, boards, offices, commissions, agencies, colleges, universities, institutions, and other instrumentalities of this or another state.

(2) "Emergency medical service organization" has the same meaning as in section 4766.01 of the Revised Code.

Sec. 924.01. As used in sections 924.01 to 924.16 and 924.40 to 924.55 of the Revised Code:

(A) "Agricultural commodity" means any food, fiber, feed, animal, or plant, or group of foods, fibers, feeds, animals, or plants that the director of agriculture determines to be of the same nature, in either a natural or a processed state. "Agricultural commodity" does not include grain as defined in section 924.20 of the Revised Code.

(B) "Distributor" means any person who sells, offers for sale, markets, or distributes an agricultural commodity that the person has purchased or acquired directly from a producer, or that the person markets on behalf of a producer.

(C) "Handler" means any person who is in the business of packing, grading, selling, offering for sale, or marketing any agricultural commodity in commercial quantities as defined in a marketing program.

(D) "Marketing program" means a program that is established by order of the director pursuant to this chapter, to improve or expand the market for an agricultural commodity.

(E) "Operating committee" means a committee established to administer a marketing

program for an agricultural commodity.

(F) "Person" means any natural person, partnership, sole proprietorship, limited liability company, corporation, society, agricultural cooperative as defined in section 1729.01 of the Revised Code, association, or fiduciary.

(G) "Processor" means any person who is in the business of grading, packaging, packing, canning, freezing, dehydrating, fermenting, distilling, extracting, preserving, grinding, crushing, juicing, or in any other way preserving or changing the form of any agricultural commodity.

(H) "Producer" means any person who is in the business of producing, or causing to be produced, any agricultural commodity for commercial sale, except that when used in reference to nursery stock, "producer" also means a distributor, processor, handler, or retailer of nursery stock.

Sec. 924.04. (A) ~~Producers~~ Except as provided in division (E) of this section, producers of an Ohio agricultural commodity may present the director of agriculture with a petition signed by the lesser of one thousand or twenty per cent of all such producers requesting that the director hold a referendum in accordance with section 924.06 of the Revised Code to establish a marketing program for that commodity or to amend an existing program.

(B) At the time of presentation of the petition to the director under division (A) of this section, the petitioners also shall present the proposed amendment or a proposed program, which shall include all of the following:

(1) The rate of assessment to be made on the marketable agricultural commodity, which shall not exceed two per cent of the average market price of that agricultural commodity during the preceding marketing year as defined by the United States department of agriculture or, if there is no such definition, by the director;

(2) Terms, conditions, limitations, and other qualifications for assessment;

(3) Procedures to refund the assessment;

(4) Requirements for appointed or elected committees.

(C) Before making a decision under this division to approve or disapprove a proposed program or an amendment, including an amendment proposed under division (E) of this section, the director shall publish in at least two appropriate periodicals designated by ~~him~~ the director a notice that the program or amendment has been proposed and informing interested persons of the procedures for submitting comments regarding the proposal. After publishing the notice, the director shall provide interested persons with a copy of the proposed program or proposed amendment to an existing program and an opportunity to comment on the proposed program or amendment for thirty days after the publication of the notice. The petitioners may make changes to the proposed program or amendment based upon the comments received. The director may make technical changes to the proposal to ensure compliance with sections 924.01 to 924.16 of the Revised Code. Subsequent to any changes made by the petitioners or any technical changes made by the director to a proposed program or amendment to an existing program, the director may approve or disapprove the proposed program or amendment to an existing program.

(D) If the director approves ~~the proposed a~~ program or amendment proposed under division (A) of this section, with any changes made under division (C) of this section, ~~he~~ the director shall hold a referendum in accordance with section 924.06 of the Revised Code to establish a marketing program for that commodity or to amend an existing program.

(E)(1) Notwithstanding any other provisions of this chapter, at the request of an operating committee, the director may approve an amendment to an established marketing program without a referendum for any of the following reasons:

(a) Making changes necessary to comply with revisions or additions to or deletions from this chapter enacted after the establishment of the marketing program;

(b) Correcting typographical errors or making other grammatical or nonsubstantive wording changes;

(c) Updating the marketing program's governance provisions other than those addressing the rate of assessment on the marketable agricultural commodity, a producer's right to a refund, a change in the definition of producer, and the termination of the marketing program;

(d) Adjusting the representation on the marketing program's operating committee to reflect shifts in geographic location of producers and volume of a commodity's production.

(2) The procedures and requirements established under division (C) of this section apply to an amendment proposed under division (E) of this section.

(3) As used in division (E)(1) of this section, "established marketing program" includes a marketing program established by referendum under this section or otherwise established under this chapter.

Sec. 924.07. (A) When the producers of an agricultural commodity who vote in a referendum favor a proposed marketing program, the director of agriculture shall order the program established and, if the marketing program does not provide for the election of an operating committee, appoint an operating committee consisting of producers of the commodity to administer the program. Each operating committee shall consist of not less than three nor more than fifteen producers.

(B) Of the members first appointed to an operating committee, the director shall appoint approximately one-third for one-year terms, approximately one-third for two-year terms, and the remainder for three-year terms. Thereafter, the director shall appoint each member for a three-year term unless the appointee is to fill a vacancy in which case the appointee shall be appointed for the unexpired term. Each such subsequent appointment shall be made prior to the expiration date of the preceding or vacant term.

(C) The director shall not appoint any member of an operating committee to serve more than three successive full three-year terms.

(D) The director shall appoint members of each operating committee from a list of candidates recommended by the producers of the agricultural commodity for which the marketing program is established. Insofar as possible the members shall be equitably distributed by geographic and production areas. Any list of candidates recommended to the director by producers shall include not less than twice as many candidates as the number of members which are to be appointed, but in no case shall a list include fewer than three names.

(E) The director, or the director's designee, is an ex officio member of each operating committee, with the right to vote.

(F) Each member of an operating committee, except the director or the director's designee, is entitled to actual and necessary travel and incidental expenses while attending meetings of the committee or while engaged in the performance of official responsibilities delegated to the committee. No member of such a committee shall receive in excess of thirty dollars per day, in

addition to such travel and incidental expenses, or for more than twenty-four days per year for duties performed as a member of the committee.

(G) No person is civilly liable for any actions taken in good faith as a member or employee of an operating committee.

Sec. 924.09. (A) Each operating committee may make assessments upon the marketable agricultural commodity for which the marketing program was established.

(B) No operating committee shall levy any assessment:

(1) That was not approved by the producers affected by the program;

(2) That exceeds two cents per bushel of corn or soybeans or two per cent of the average market price of any other agricultural commodity during the preceding marketing year as defined for the commodity by the United States department of agriculture or, if there is no such definition, by the director of agriculture;

(3) Against any producer who is not eligible to vote in a referendum for the marketing program that the operating committee administers.

(C) The director may require a producer, processor, distributor, or handler of an agricultural commodity for which a marketing program has been established under sections 924.01 to 924.16 of the Revised Code to withhold assessments from any amounts that the producer, processor, distributor, or handler owes to producers of the commodity and, notwithstanding division (B)(3) of this section, to remit them to the ~~director~~operating committee. Any processor, distributor, or handler who pays for any producer any assessment that is levied under authority of this section may deduct the amount of the assessment from any moneys that the processor, distributor, or handler owes to the producer.

(D) No operating committee shall use any assessments that it levies for any political or legislative purpose, or for preferential treatment of one person to the detriment of any other person affected by the marketing program.

(E) The operating committee of each marketing program shall refund to a producer the assessments that it collects from the producer not later than sixty days after receipt of a valid application by the producer for a refund, provided that the producer complies with the procedures for a refund that were included in the program under division (B)(3) of section 924.04 of the Revised Code.

~~In the case of the state beef marketing program, in lieu of giving a refund to a producer, the director of the program's operating committee may forward the refund to the cattlemen's beef promotion and research board pursuant to the "Beef Promotion and Research Act," 99 Stat. 1597 (1985), 7 U.S.C.A. 2901, and amendments thereto, and shall credit that amount to the total amount owed by the producer to the federal beef program.~~

(F) Each application for a refund of assessments levied for a program established after April 10, 1985 shall be made on a form provided by the director of agriculture. Each operating committee for such a program shall ensure that refund forms are available where assessments for its program are withheld.

A producer, processor, distributor, or handler marketing cattle subject to the "Beef Promotion and Research Act," as amended, shall remit the assessment for the national cattlemen's beef promotion and research board, as specified in the "Beef Promotion and Research Act," 99 Stat. 1597 (1985), 7 U.S.C. 2904(8), to the state beef marketing program if the state beef marketing program is

a qualified state beef council as defined by that act. Division (E) of this section does not apply to such assessments collected by the state beef marketing program on behalf of the national cattlemen's beef promotion and research board pursuant to the "Beef Promotion and Research Act," as amended, for which the producers that pay the assessments receive credits from the board.

Sec. 924.17. Any record submitted to the department of agriculture under this chapter that indicates how an individual has voted in a referendum to establish or amend a marketing program under section 924.07 of the Revised Code, or in an election of the members of an operating committee under section 924.03 or 924.22 of the Revised Code is not a public record under section 149.43 of the Revised Code.

Sec. 924.24. (A) The grain marketing program operating committee shall do all of the following:

(1) Hire personnel and contract for services that are necessary for the operation of the grain marketing program;

(2) Promote the sale of grain for the purpose of maintaining and expanding present markets and creating new and larger intrastate, interstate, and foreign markets for grain, and inform the public of the uses and benefits of grain;

(3) Establish requirements and procedures for the collection of assessments that the operating committee is required to levy under section 924.26 of the Revised Code, including the method and frequency of collection;

(4) Establish procedures to be used by a person who wishes to file for a refund of the person's assessment that is levied under section 924.26 of the Revised Code;

(5) Perform all acts and exercise all powers incidental to, in connection with, or considered reasonably necessary, proper, or advisable to effectuate the purposes of sections 924.20 to 924.30 of the Revised Code.

(B) The operating committee may do any or all of the following:

(1) Conduct, and contract with others to conduct, research, including the study, analysis, dissemination, and accumulation of information obtained from the research or elsewhere, concerning the marketing and distribution of grain, the storage, processing, and transportation of grain, and the production and product development of grain;

(2) Provide the wholesale and retail grain trade with information relative to proper methods of handling and selling grain;

(3) Conduct, and contract with others to conduct, market surveys and analyses, undertake any other similar activities that it determines are appropriate for the maintenance and expansion of present markets and the creation of new and larger markets for grain, and enter into contracts, in the name of the committee, to render service in formulating and conducting plans and programs and other contracts or agreements that the committee considers necessary for the promotion of the sale of grain;

(4) Publish and distribute to producers and others information relating to the grain industry;

(5) Propose to the director of agriculture rules and amendments to rules that are necessary for the exercise of its powers and the performance of its duties;

(6) Establish priorities and prepare and approve a budget consistent with estimated resources and the scope of the grain marketing program;

(7) Receive and investigate, or cause to be investigated, complaints concerning and violations of the grain marketing program. The operating committee shall refer any violations to the director for action under section 924.29 of the Revised Code.

Sec. 924.25. (A) The director of agriculture shall monitor the activities of the grain marketing program operating committee to ensure all of the following:

- (1) The grain marketing program is self-supporting.
- (2) The operating committee keeps all records that are required for agencies of the state.
- (3) The program's operations comply with all of the following:
 - (a) The provisions of the program;
 - (b) Rules;
 - (c) Sections 924.20 to 924.30 of the Revised Code.

(4) Administrative activities of the committee are coordinated with those of the department of agriculture.

~~(B) Not later than ninety days after the effective date of this section, the~~ The director shall may adopt rules in accordance with Chapter 119. of the Revised Code that are necessary to carry out the purposes of sections 924.20 to 924.30 of the Revised Code. ~~The rules shall include all of the following:~~

- ~~(1) Deadlines and nomination procedures for the placement of persons on the ballot for election to the grain marketing program operating committee;~~
- ~~(2) The terms of office of members of the operating committee, including the staggering of terms for the initial members;~~
- ~~(3) Insofar as possible, requirements providing for the equitable distribution of members on the operating committee by geographic and production areas of the state.~~

Sec. 924.26. (A) The grain marketing program operating committee shall levy on producers and, as provided in division (B) of this section, handlers the following assessments, as applicable:

- (1) One-half of one per cent of the per-bushel price of wheat at the first point of sale;
- (2) One-half of one per cent of the per-bushel price of barley at the first point of sale;
- (3) One-half of one per cent of the per-bushel price of rye at the first point of sale;
- (4) One-half of one per cent of the per-bushel price of oats at the first point of sale.

(B) The director may require a handler to withhold assessments from any amounts that the handler owes to producers and to remit them to the ~~director~~operating committee. A handler who pays for a producer an assessment that is levied under this section may deduct the amount of the assessment from any money that the handler owes to the producer.

(C) The operating committee shall deposit all money collected under this section with a bank or savings and loan association as defined in sections 1101.01 and 1151.01 of the Revised Code. All money so collected and deposited shall be used only for defraying the costs of administration of the marketing program and for carrying out sections 924.20 to 924.30 of the Revised Code. The operating committee shall not use any assessments that it levies for any political or legislative purpose or for preferential treatment of one person to the detriment of any other person affected by the grain marketing program.

(D) The operating committee shall refund to a producer the assessments that it collects from the producer not later than thirty days after receipt of a valid application by the producer for a refund,

provided that the producer complies with the procedures for a refund established by the committee under section 924.24 of the Revised Code.

An application for a refund shall be made on a form provided by the director. The operating committee shall ensure that refund forms are available where assessments for the grain marketing program are collected.

Sec. 1501.012. (A) The director of natural resources may lease lands in state parks, as defined in section 1501.07 of the Revised Code, and contract for the construction and operation of public service facilities, as mentioned in that section, and for major renovation or remodeling of existing public service facilities by the lessees on those lands. If the director determines that doing so would be consistent with long-range planning of the department of natural resources and in the best interests of the department and the division of parks and watercraft in the department, the director shall negotiate and execute a lease and contract for those purposes in accordance with this chapter except as otherwise provided in this section.

(B) ~~With the approval of the recreation and resources council created under section 1501.04 of the Revised Code, the~~ The director shall draft a statement of intent describing any public service facility that the department wishes to have constructed in accordance with this section and establishing a procedure for the submission of proposals for providing the facility, including, but not limited to, a requirement that each prospective bidder or lessee of land shall submit with the proposal a completed questionnaire and financial statement, on forms prescribed and furnished by the department, to enable the department to ascertain the person's financial worth and experience in maintaining and operating facilities similar or related to the public service facility in question. The completed questionnaire and financial statement shall be verified under oath by the prospective bidder or lessee. Questionnaires and financial statements submitted under this division are confidential and are not open to public inspection. Nothing in this division shall be construed to prevent use of or reference to questionnaires and financial statements in a civil action or criminal prosecution commenced by the state.

The director shall publish the statement of intent in at least three daily newspapers of general circulation in the state at least once each week for four consecutive weeks. The director then shall accept proposals in response to the statement of intent for at least thirty days following the final publication of the statement. At the end of the period during which proposals may be submitted under this division, the director shall select the proposal that the director determines best complies with the statement of intent and may negotiate a lease and contract with the person that submitted that proposal.

(C) Any lease and contract negotiated under this section shall include in its terms and conditions all of the following:

- (1) The legal description of the leasehold;
- (2) The duration of the lease and contract, which shall not exceed forty years, and a requirement that the lease and contract be nonrenewable;
- (3) A requirement that the lessee maintain in full force and effect during the term of the lease and contract comprehensive liability insurance for injury, death, or loss to persons or property and fire casualty insurance for the public service facility and all its structures in an amount established by the director and naming the department as an additional insured;

(4) A requirement that the lessee maintain in full force and effect suitable performance bonds or other adequate security pertaining to the construction and operation of the public service facility;

(5) Detailed plans and specifications controlling the construction of the public service facility that shall include all of the following:

(a) The size and capacity of the facility;

(b) The type and quality of construction;

(c) Other criteria that the department considers necessary and advisable.

(6) The manner of rental payment;

(7) A stipulation that the director shall have control and supervision over all of the following:

(a) The operating season of the public service facility;

(b) The facility's hours of operation;

(c) The maximum rates to be charged guests using the facility;

(d) The facility's sanitary conditions;

(e) The quality of food and service furnished the guests of the facility;

(f) The lessee's general and structural maintenance responsibilities at the facility.

(8) The disposition of the leasehold and improvements at the expiration of the lease and contract;

(9) A requirement that the public service facility be available to all members of the public without regard to sex, race, color, creed, ancestry, national origin, or disability as defined in section 4112.01 of the Revised Code;

(10) Other terms and conditions that the director considers necessary and advisable to carry out the purposes of this section.

(D) The attorney general shall approve the form of the lease and contract prior to its execution by the director.

(E) The authority granted in this section to the director is in addition and supplemental to any other authority granted the director under state law.

Sec. 1501.07. The department of natural resources through the division of parks and watercraft may plan, supervise, acquire, construct, enlarge, improve, erect, equip, and furnish public service facilities such as inns, lodges, hotels, cottages, camping sites, scenic trails, picnic sites, restaurants, commissaries, golf courses, boating and bathing facilities, and other similar facilities in state parks reasonably necessary and useful in promoting the public use of state parks under its control and may purchase lands or interests in lands in the name of the state necessary for those purposes.

The chief of the division of parks and watercraft shall administer state parks, establish rules, fix fees and charges for admission to parks and for the use of public service facilities therein, establish rentals for the lease of lands or interests therein within a state park the chief is authorized by law to lease, and exercise all powers of the chief, in conformity with all covenants of the director of natural resources in or with respect to state park revenue bonds and trust agreements securing such bonds and all terms, provisions, and conditions of such bonds and trust agreements. In the administration of state parks with respect to which state park revenue bonds are issued and outstanding, or any part of the moneys received from fees and charges for admission to or the use of facilities, from rentals for the lease of lands or interests or facilities therein, or for the lease of public

service facilities are pledged for any such bonds, the chief shall exercise the powers and perform the duties of the chief subject to the control and approval of the director. The acquisition of such lands or interests therein and facilities shall be planned with regard to the needs of the people of the state and with regard to the purposes and uses of such state parks and, except for facilities constructed in consideration of a lease under section 1501.012 of the Revised Code, shall be paid for from the state park fund created in section 1546.21 of the Revised Code or from the proceeds of the sale of bonds issued under sections 1501.12 to 1501.15 of the Revised Code. Sections 125.81 and 153.04 of the Revised Code, insofar as they require a certification by the chief of the division of capital planning and improvement, do not apply to the acquisition of lands or interests therein and public service facilities to be paid for from the proceeds of bonds issued under sections 1501.12 to 1501.15 of the Revised Code.

As used in sections 1501.07 to 1501.14 of the Revised Code, state parks are all of the following:

(A) State reservoirs described and identified in section 1546.11 of the Revised Code;

(B) All lands or interests therein that are denominated as state parks in section 1546.14 of the Revised Code;

(C) All lands or interests therein of the state identified as administered by the division of parks and watercraft in the "inventory of state owned lands administered by department of natural resources as of June 1, 1963," as recorded in the journal of the director, which inventory was prepared by the real estate section of the department and is supported by maps on file with the division;

(D) All lands or interests in lands of the state hereafter designated as state parks in the journal of the director ~~with the approval of the recreation and resources council created in section 1501.04 of the Revised Code.~~

All such state parks shall be exclusively under the control and administration of the division of parks and watercraft. ~~With the approval of the council, the~~ The director by order may remove from the classification as state parks any of the lands or interests therein so classified by divisions (C) and (D) of this section, subject to the limitations, provisions, and conditions in any order authorizing state park revenue bonds or in any trust agreement securing such bonds. Lands or interests therein so removed shall be transferred to other divisions of the department for administration or may be sold as provided by law. Proceeds of any sale shall be used or transferred as provided in the order authorizing state park revenue bonds or in the trust agreement and, if no such provision is made, shall be transferred to the state park fund. State parks do not include any lands or interest in lands of the state administered jointly by two or more divisions of the department. The designation of lands as state parks under divisions (A) to (D) of this section shall be conclusive, and those lands shall be under the control of and administered by the division of parks and watercraft. No order or proceeding designating lands as state parks or park purchase areas shall be subject to any appeal or review by any officer, board, commission, or court.

Sec. 1503.03. The chief of the division of forestry shall cooperate with all state operated universities and the department of agriculture. The chief, with the approval of the director of natural resources, may purchase or acquire by gift, donations, or contributions any interest in land suitable for forestry purposes. The chief may enter into agreements with the federal government or other

agencies for the acquisition, by lease, purchase, or otherwise, of such lands as in the judgment of the chief and director are desirable for state forests, building sites, or nursery lands. The chief may expend funds, not otherwise obligated, for the management, development, and utilization of such lands.

The chief, with the approval of the director, may acquire by lease, purchase, gift, or otherwise, in the name of the state, forested or other lands in the state suitable for the growth of forest trees to the amount of the appropriation for that purpose. The chief shall prepare and submit to the director maps and descriptions of such areas including and adjacent to the existing state forest lands, the lands within which, not at the time belonging to the state, are properly subject to purchase as state forest lands for reasons of protection, utilization, and administration. When such an area is approved by the director ~~and the recreation and resources council created in section 1501.04 of the Revised Code~~, it shall be known as a state forest purchase area and the map and description, with the approval of the director indorsed thereon, shall be filed in duplicate with the auditor of state and the attorney general.

All lands purchased for forest purposes shall be deeded to the state, but the purchase price of such lands shall not be paid until the title thereof has been approved by the attorney general. The price of such lands shall not exceed the appropriation for such purposes.

Sec. 1505.05. (A) Notwithstanding any other provision of the Revised Code to the contrary, the chief of the division of geological survey shall adopt rules under Chapter 119. of the Revised Code that establish a fee schedule for requests for manipulated, interpreted, or analyzed data from the geologic records, data, maps, rock cores, and samples archived by the division. The fee schedule may include the cost of specialized storage requirements, programming, labor, research, retrieval, data manipulation, and copying and mailing of records requested from the archives. In addition, the rules shall establish procedures for the levying and collection of the fees in the fee schedule.

(B) For purposes of divisions (H) and (I) of section 1505.01 of the Revised Code, the chief shall adopt rules under Chapter 119. of the Revised Code that establish a fee schedule to be paid for creating custom maps, custom data sets, and other custom products and for providing geological information of the state. The fee schedule may include the costs of labor, research, analysis, equipment, and technology. In addition, the rules shall establish procedures for the levying and collection of the fees in the fee schedule.

(C) The chief may reduce or waive a fee in a fee schedule established in rules adopted under division (A) or (B) of this section for a student that is enrolled in an institution of higher education.

(D) Any revision to a fee schedule established in rules adopted under division (A) or (B) of this section shall be established in rules adopted under Chapter 119. of the Revised Code. A revision to a fee schedule is subject to ~~review by the Ohio geology advisory council created in section 1505.11 of the Revised Code and to approval by the director of natural resources.~~

(E) All fees collected under this section shall be credited to the geological mapping fund created in section 1505.09 of the Revised Code.

Sec. 1505.12. ~~The Ohio geology advisory council~~ director of natural resources shall establish a grant program utilizing the contributions that are paid to the bureau of motor vehicles by persons who obtain "Ohio geology" license plates pursuant to section 4503.515 of the Revised Code and are deposited into the "Ohio geology" license plate fund created by section 1505.13 of the Revised Code.

The primary purpose of the program shall be the awarding of grants by the ~~council~~director to geology departments of colleges and universities located in this state for graduate level research conducted at locations of geological interest in this state. Subject to the amount of money in the fund, the secondary purpose of the program shall be to provide materials such as rock and mineral kits to elementary and secondary schools in this state to assist students at those schools in the study of geology.

The ~~council~~director shall award grants at least annually and, in its discretion, may award grants on a more frequent basis.

Sec. 1505.13. There is hereby created in the state treasury the "Ohio geology" license plate fund. The fund shall consist of the contributions that are paid to the bureau of motor vehicles by applicants who choose to obtain "Ohio geology" license plates pursuant to section 4503.515 of the Revised Code.

The contributions deposited into the fund shall be used by the ~~Ohio geology advisory council~~director of natural resources in the manner described in section 1505.12 of the Revised Code.

Sec. 1510.01. As used in this chapter:

(A) "First purchaser" means:

(1) With regard to crude oil and condensate, the person to whom title first is transferred beyond the gathering tank or tanks, beyond the facility from which the crude oil was first produced, or both;

(2) With regard to natural gas, the person to whom title first is transferred beyond the inlet side of the measurement station from which the natural gas was first produced.

(B) ~~"Independent producer"~~ "Producer" means a person who complies with ~~both~~all of the following:

(1) Produces oil or natural gas ~~and is not engaged in refining either product in this state;~~

(2) Derives a majority of income from ownership in properties producing oil or natural gas;

(3) Is the owner of record for the respective wells from which assessments are levied under this chapter.

(C) "Independent producer" means a producer that is not engaged in refining either oil or natural gas.

(D) "Qualified independent producer association" means an association that complies with all of the following:

(1) It is in existence on December 18, 1997.

(2) It is organized and operating within this state.

(3) A majority of the members of its governing body are independent producers.

~~(E)~~ (E) "Technical advisory council" or "council" means the technical advisory council created in the division of oil and gas resources management under section 1509.38 of the Revised Code.

(F) "Condensate," "gas," "horizontal well," "oil," and "owner" have the same meanings as in section 1509.01 of the Revised Code.

Sec. 1510.02. (A) In accordance with this chapter, the technical advisory council shall do all of the following:

~~(A)~~ (1) Establish procedures by which ~~independent~~ producers in this state may propose,

develop, and operate a marketing program to do all of the following:

~~(1)(a)~~ Demonstrate to the general public the importance and economic significance of the oil and natural gas industry in this state;

~~(2)(b)~~ Encourage the wise and efficient use of energy;

~~(3)(c)~~ Promote environmentally sound production methods and technologies in the industry;

~~(4)(d)~~ Support research, training, and educational activities concerning the industry.

~~(B)(2)~~ Establish procedures necessary to implement and administer this chapter;

~~(C)(3)~~ Determine the eligibility of ~~independent~~ producers to participate in referendums and other procedures that may be required to establish a marketing program for oil and natural gas.

(B) The council may conduct business by a majority of those members voting without need of a quorum.

Sec. 1510.04. (A) ~~Independent producers~~ (1) Producers in this state may present the technical advisory council with a petition signed by the lesser of one hundred or ten per cent of all such producers requesting that the council hold a referendum in accordance with section 1510.05 of the Revised Code to establish a marketing program for oil and natural gas ~~or~~.

(2) Producers in this state also may present the operating committee appointed under section 1510.06 of the Revised Code or the council with a petition signed by the lesser of one hundred or ten per cent of all such producers requesting that the council hold a referendum in accordance with section 1510.05 of the Revised Code to amend an existing marketing program. The council may request the operating committee to perform any administrative duty during the amendment process provided for under this chapter and the operating committee shall perform any such administrative duty.

(B) At the time of presentation of the petition to the council or committee under division (A) of this section, the petitioners also shall present the proposed program or amendment, which shall include all of the following:

(1) The rate of assessment to be made on the production of oil and natural gas in this state, which shall not exceed five cents per each gross barrel of oil and one cent per thousand cubic feet of natural gas;

(2) Terms, conditions, limitations, and other qualifications for assessment;

(3) Procedures to refund the assessment.

(C) Before ~~making the council makes~~ a decision under this division to approve or disapprove a proposed program or amendment, the council or committee, as applicable, shall publish in at least two appropriate periodicals designated by the council a notice that the program or amendment has been proposed and informing interested persons of the procedures for submitting comments regarding the proposal. After publishing the notice, the council or committee shall provide interested persons with a copy of the proposed program or amendment and an opportunity to comment on the proposed program or amendment for thirty days after the publication of the notice. The petitioners may make changes to the proposed program or amendment based upon the comments received. The council or committee may make technical changes to the proposal to ensure compliance with this chapter. Subsequent to any changes made by the petitioners or any technical changes made by the council or committee to a proposed program or amendment, the council may approve or disapprove the proposed program or amendment.

(D) If the council approves the proposed program or amendment, with any changes made under division (C) of this section, the council shall hold a referendum in accordance with section 1510.05 of the Revised Code to establish a marketing program for oil and natural gas or to amend an existing program.

Sec. 1510.05. (A) Not later than ninety days after the technical advisory council has approved a marketing program proposed under section 1510.04 of the Revised Code, or an amendment to such a program, the council shall determine by a referendum whether the eligible ~~independent~~ producers, as determined under division ~~(C)-(A)(3)~~ of section 1510.02 of the Revised Code, favor the proposed program or amendment. The council or committee shall cause a ballot request form to be published not less than thirty days before the beginning of the election period established under division (B) of this section in at least two appropriate periodicals designated by the council or committee and shall make the form available for reproduction to any qualified independent producer association.

(B) In a referendum held under this section, each eligible ~~independent~~ producer is entitled to one vote. The council or committee shall establish a three-day period during which eligible ~~independent~~ producers may vote either in person during normal business hours at polling places designated by the council or committee or by mailing a ballot to such a polling place. The council or committee shall send a mail-in ballot by first-class mail to any eligible ~~independent~~ producer who requests one by sending in the ballot request form provided for in division (A) of this section, by calling one of the polling places designated by the council or committee, or by any additional method that the council or committee may provide. A ballot that is returned by mail is not valid if it is postmarked later than the third day of the election period established by the council or committee.

(C) A marketing program or an amendment to a marketing program is favored by ~~independent~~ producers if a majority of the ~~independent~~ producers who vote in the referendum vote in favor of the program or amendment. If the ~~independent~~ producers who vote in the referendum do not favor the proposed program or amendment, the council shall not hold another referendum on the proposed program or amendment during the ten months following the close of the referendum at which the ~~independent~~ producers did not favor the proposed program or amendment.

Sec. 1510.06. (A) When the ~~independent~~ producers who vote in a referendum held under section 1510.05 of the Revised Code favor a proposed marketing program, the technical advisory council shall order the program established. The council shall appoint an operating committee consisting of ~~seven-thirteen~~ members. Six of the members shall be independent producers and six of the members shall be primarily horizontal well operators. The council shall select those members from lists of names submitted by qualified independent producer associations. Each member who is ~~an independent~~ a producer shall be at least twenty-five years old, ~~be a resident of~~ have production in this state, and have at least five years of active experience in the oil and natural gas industry.

The ~~seventh-thirteenth~~ member shall be a member of an organization that represents farmers. The council shall select that member from a list submitted by such an organization.

Of the initial appointments made prior to the effective date of this amendment, the council shall appoint two members for terms of one year, two members for terms of two years, and three members for terms of three years. Thereafter, the council shall appoint each member for a three-year term unless the appointee is to fill a vacancy, in which case the appointee shall be appointed for the unexpired term. Each such subsequent appointment shall be made prior to the expiration date of the

preceding or vacant term. The council shall not appoint any member of ~~an~~ the operating committee to serve more than three successive full three-year terms.

Of the members who are primarily horizontal well operators who are appointed after the effective date of this amendment, the council shall appoint two members for terms of one year, two members for terms of two years, and two members for terms of three years. Thereafter, the council shall appoint each member for a three-year term unless the appointee is to fill a vacancy, in which case the appointee shall be appointed for the unexpired term. Each subsequent appointment shall be made prior to the expiration date of the preceding or vacant term. The council shall not appoint any member of the operating committee to serve more than three successive full three-year terms.

(B) Each member of ~~an~~ the operating committee is entitled to actual and necessary travel and incidental expenses while attending meetings of the committee or while engaged in the performance of official responsibilities delegated to the committee.

(C) No person is liable in a civil action for any actions taken in good faith as a member or employee of an operating committee.

Sec. 1510.08. (A)(1) Except as provided in division (A)(2) of this section, an operating committee may levy assessments on the production of crude oil, condensate, and natural gas in this state for the purposes of a marketing program established under this chapter.

(2) ~~An~~ The operating committee shall not levy an assessment that was not approved by ~~independent~~ producers or that exceeds the amount authorized under division (B)(1) of section 1510.04 of the Revised Code. ~~An~~ The operating committee shall not levy an assessment against ~~an independent~~ a producer who is not eligible to vote in a referendum for the marketing program that the operating committee administers, as determined under division ~~(C)~~ (A)(3) of section 1510.02 of the Revised Code.

(B) The technical advisory council may require a first purchaser to withhold assessments from any amounts that the first purchaser owes to ~~independent~~ producers and, notwithstanding division (A)(2) of this section, to remit them to the chairperson of the council at the office of the division of oil and gas resources management. A first purchaser who pays an assessment that is levied pursuant to this section for ~~an independent~~ a producer may deduct the amount of the assessment from any ~~moneys~~ money that the first purchaser owes the ~~independent~~ producer.

The operating committee may, through the referendum process, elect to authorize the producer of a horizontal well to directly pay the assessment to the operating committee in lieu of having the first purchaser remit the assessment. The producer shall direct the payment to the operating committee along with a form furnished by the operating committee and approved as to content by a qualified independent producer association. The operating committee may establish, through the referendum process, additional terms, limitations, and conditions for assessment and refunds for those producers who directly pay the assessment to the operating committee.

(C) A marketing program shall require a refund of assessments collected under this section after receiving an application for a refund from ~~an independent~~ a producer who is the owner or operator of the well that was assessed. ~~An~~ The producer shall submit the application for a refund ~~shall be made on~~ a form furnished by the ~~council~~ operating committee and approved as to content by a qualified independent producer association. The operating committee shall ensure that refund forms are available where assessments for its program are withheld.

~~An independent~~ A producer who desires a refund shall submit a request for a refund not later than the thirty-first day of March of the year in which the request is submitted. The ~~council~~ operating committee shall refund the assessment to the ~~independent~~ producer not later than the thirtieth day of June of the year in which the request for the refund is submitted.

(D) ~~An~~ The operating committee shall not use ~~moneys~~ money from any assessments that it levies for any political or legislative purpose or for preferential treatment of one person to the detriment of another person who is affected by the marketing program that the operating committee administers.

(E) If the operating committee requests that a producer seeking a refund provide additional information to support a refund request, any additional information provided to the operating committee is not a public record under section 149.43 of the Revised Code, is confidential, and the operating committee shall treat the information as confidential.

Sec. 1510.09. (A) There is hereby established a fund for any marketing program that is established by the technical advisory council under this chapter. The fund shall be in the custody of the treasurer of state, but shall not be part of the state treasury. Except as authorized in division (B) of this section, all ~~moneys~~ money collected pursuant to section 1510.08 of the Revised Code for the marketing program shall be paid into the fund for the marketing program and shall be disbursed only pursuant to a voucher signed by the chairperson of the council for use in defraying the costs of administration of the marketing program and for carrying out sections 1510.02, 1510.03, and 1510.11 of the Revised Code.

(B) In lieu of deposits in the fund established under division (A) of this section, the operating committee of a marketing program established under this chapter may deposit all ~~moneys~~ money collected pursuant to section 1510.08 of the Revised Code with a bank or a savings and loan association as defined in sections 1101.01 and 1151.01 of the Revised Code. All ~~moneys~~ money collected pursuant to section 1510.08 of the Revised Code for the marketing program and deposited pursuant to this division also shall be used only in defraying the costs of administration of the marketing program and for carrying out sections 1510.02, 1510.03, and 1510.11 of the Revised Code.

(C) ~~An~~ The operating committee shall establish a fiscal year for its marketing program, shall publish an activity and financial report within sixty days of the end of each fiscal year, and shall make the report available to each ~~independent~~ producer who pays an assessment or otherwise contributes to the marketing program that the committee administers and to other interested persons.

(D) In addition to the report required by division (C) of this section, an operating committee that deposits ~~moneys~~ money in accordance with division (B) of this section shall annually submit to the council ~~both of the following~~:

~~(1) Annually,~~ a financial statement prepared by a certified public accountant holding valid certification from the Ohio board of accountancy issued pursuant to Chapter 4701. of the Revised Code. The operating committee shall file the financial statement with the council not more than ~~sixty one hundred fifty~~ fifty days after the end of each fiscal year.

~~(2) Monthly, an unaudited financial statement.~~

Sec. 1510.10. (A) The technical advisory council temporarily may suspend the operation of a marketing program, or any part of a program, for any reason upon recommendation by the operating committee of the program for a period of not more than twelve consecutive months.

(B) At least once in each five years of operation, or at any time upon written petition by the lesser of one hundred or ten per cent of the ~~independent~~-producers in this state, the council shall hold a hearing as prescribed in Chapter 119. of the Revised Code to consider the continuation of the program.

(C) Not later than thirty days after the close of any hearing to consider the continuation of a marketing program, the council shall recommend continuation or termination of the program, shall give public notice, and shall notify each ~~independent~~-producer of record, all parties appearing at the hearing, and other interested parties of the recommendation.

(D) When the council recommends termination of a marketing program, within forty-five days the council shall conduct a referendum to determine whether ~~independent~~-producers favor the proposed termination. ~~Independent producers~~ Producers favor the termination of the program if a majority of the ~~independent~~-producers who vote in the referendum vote in favor of termination of the program.

Sec. 1510.11. (A) When ~~independent~~-producers favor termination of a marketing program established under this chapter, the operating committee of the program and the technical advisory council shall terminate all operations of the program.

(B)(1) Except as provided in division (B)(2) of this section, upon termination of a program, the council shall return any remaining unobligated ~~moneys~~ money to the ~~independent~~-producers who paid the assessments levied under section 1510.08 of the Revised Code during the immediately preceding twelve months and shall prorate the ~~moneys~~ money accordingly.

(2) If a program is operated by a nonprofit corporation that is organized under Chapter 1702. of the Revised Code for the purpose of carrying out the purposes identified in division (A)(1) of section 1510.02 of the Revised Code, and if the nonprofit corporation is exempt from federal income taxation pursuant to section 501(a) of the Internal Revenue Code and is described in section 501(c)(3) of the Internal Revenue Code, upon termination of the program, the nonprofit corporation shall distribute any remaining unobligated money to be used for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code or to the federal, a state, or a local government to be used for a public purpose. If there remains any unobligated money after the distribution by the nonprofit corporation, the court of common pleas of the county in which the principal office of the nonprofit corporation is located shall distribute the remaining unobligated money to be used for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, to the federal, a state, or a local government to be used for a public purpose, or to one or more organizations that are organized and operated exclusively for one or more of the purposes that are within the meaning of section 501(c)(3) of the Internal Revenue Code, as the court determines is best to accomplish the exempt purposes of the nonprofit corporation.

Sec. 1513.27. As used in this section and sections 1513.28, 1513.30, 1513.31, and 1513.32 of the Revised Code, "damage to adjacent property" means physical injury or harm to nearby property caused by the unreclaimed condition of lands mined prior to April 10, 1972, or pursuant to a license issued prior to April 10, 1972, including, without limitation, injury or harm to vegetation on adjacent property, pollution of surface or underground waters on adjacent property, loss or interruption of water supply on adjacent property, flow of acid water onto or across adjacent property, flooding of adjacent property, landslides onto or across adjacent property, erosion of adjacent property, or

deposition of sediment upon adjacent property. Damage to adjacent property does not include any diminution of the market value of adjacent property caused exclusively by the visual or aesthetic appearance of such unreclaimed lands.

The chief of the division of mineral resources management, with the approval of the director of natural resources, may enter into a written agreement, which may be in the form of a contract, with the owner of any unreclaimed land affected by mining before April 10, 1972, or pursuant to a license issued before April 10, 1972, that causes or may cause pollution of the waters of the state or damage to adjacent property, is not likely to be mined in the foreseeable future, and lies within the boundaries of a project area approved by the ~~council on unreclaimed strip-mined lands created in chief under section 1513.29-1513.30~~ of the Revised Code, under which the state or its agents may enter the land to reclaim it at state expense with moneys from the unreclaimed lands fund ~~created by section 1513.30 of the Revised Code~~ by establishing vegetative cover and substantially reducing or eliminating erosion, sedimentation, landslides, pollution, accumulation or discharge of acid water, flooding, and damage to adjacent property. The agreement may include provisions pertaining to liability for damages and any other provisions necessary or desirable to achieve the purposes of this section.

If the chief makes a finding of fact that land or water resources have been adversely affected by past coal mining practices; if the adverse effects are at a stage where, in the public interest, action to restore, reclaim, abate, control, or prevent the adverse effects should be taken; and if the owners of the affected land or water resources either are not known or readily available or will not give permission for the state, political subdivisions, or their agents, employees, or contractors to enter on the property to restore, reclaim, abate, control, or prevent the adverse effects, the chief or the chief's agents, employees, or contractors may enter on the affected property in order to do all things necessary or expedient to restore, reclaim, abate, control, or prevent the adverse effects. Prior to entering on the property, the chief or the chief's agents, employees, or contractors shall give notice by mail to the owners, if known, or, if not known, by posting notice on the premises and advertising once in a newspaper of general circulation in the county or municipal corporation in which the land lies. Such an entry shall be construed as an exercise of the police power for the protection of public health, safety, and welfare and shall not be construed as an act of condemnation of property or of trespass. The moneys expended for the work and the benefits accruing to any premises so entered upon shall be chargeable against land and shall mitigate or offset any claim in or any action brought by any owner of any interest in the premises for any alleged damages by virtue of the entry. This provision is not intended to create new rights of action or eliminate existing immunities.

Each agreement entered into pursuant to this section shall contain provisions for the reimbursement of a portion of the costs of the reclamation that is commensurate with the increase in the fair market value of the property attributable to the reclamation work thereon, as determined by appraisals made before and after reclamation in the manner stated in the agreement, unless the determination discloses an increase in value that is insubstantial. For reimbursement of the portion, the agreement may include provisions for any of the following:

- (A) Public use for soil, water, forest, or wildlife conservation or public recreation purposes;
- (B) Payment to the state of the share of the income from the crops or timber produced on the land that is stated in the agreement;

(C) Imposition of a lien in the amount of the increase in fair market value payable upon transfer or conveyance of the property to a new owner. All such reimbursements and payments shall be credited to the unreclaimed lands fund.

(D) Payment to the state in cash of the amount of the increase in fair market value, payable upon completion of the reclamation.

For the purpose of selecting lands to be reclaimed within the boundaries of approved project areas, the chief shall consult the owners of unreclaimed lands, may consult with local officials, civic and professional organizations, and interested individuals, and shall consider the feasibility, cost, and public benefits of reclaiming particular lands, their potential for being mined, and the availability of federal or other assistance for reclamation. Before entering into the agreement, the chief shall prepare or approve a detailed plan with topographic maps indicating the reclamation improvements to be made. The plan may include improvements recommended by the owner, but may not include improvements that the chief finds are not necessary to establish vegetative cover or substantially reduce or eliminate erosion, sedimentation, landslides, pollution, accumulation or discharge of acid water, flooding, or damage to adjacent property.

With the approval of the director and upon entering into the agreement with the owner, the chief may carry out the plan of reclamation or any part thereof with the employees and equipment of any division of the department of natural resources, or the chief may carry out the plan or any part thereof by contracting therefor.

The chief, with the approval of the director and written consent of the owner, may enter into a contract with an operator mining adjacent land under a current, valid permit to carry out the plan of reclamation on the unreclaimed land or any part of the plan without advertising for bids. Contracts entered into with operators mining adjacent land are not subject to division (B) of section 127.16 of the Revised Code.

The chief shall require every operator mining adjacent land who performs reclamation work pursuant to this section to pay workers at the greater of their regular rate of pay, as established by contract, agreement, or prior custom or practice, or the average wage rate paid in this state for the same or similar work performed in the same or similar locality by private companies doing their own reclamation work. Each contract awarded by the chief to other than an operator mining adjacent land shall be awarded to the lowest responsible bidder after sealed bids are received, opened, and published at the time and place fixed by the chief. The chief shall publish notice of the time and place at which bids will be received, opened, and published, at least once at least ten days before the date of the opening of the bids, in a newspaper of general circulation in the county in which the area of land to be reclaimed under the contract is located. If, after so advertising for bids, no bids are received by the chief at the time and place fixed for receiving them, the chief may advertise again for bids, or, if the chief considers the public interest will be best served, the chief may enter into a contract for the reclamation of the area of land without further advertisement for bids. The chief may reject all bids received and again publish notice of the time and place at which bids for contracts will be received, opened, and published. The chief, with the approval of the director and written consent of the owner, may enter into a contract with a licensed mine operator mining adjacent land under a valid permit to carry out the plan of reclamation on the unreclaimed land or any part of the plan without advertising for bids.

Sec. 1513.28. The chief of the division of mineral resources management, with the approval of the director of natural resources, may make grants of moneys from the unreclaimed lands fund created by section 1513.30 of the Revised Code for the payment by the state of up to seventy-five per cent of the reasonable and necessary reclamation expenses incurred by the owner of any unreclaimed land affected by mining before April 10, 1972, or pursuant to a license issued before April 10, 1972, that causes or may cause pollution of the waters of the state or damage to adjacent property, is not likely to be mined in the foreseeable future, and lies within the boundaries of a project area approved by the council on unreclaimed strip mined lands created in chief under section ~~1513.29~~ 1513.30 of the Revised Code, ~~in accordance with a plan of reclamation approved by the chief.~~

The owner shall submit application for a grant on forms furnished by the division, together with detailed plans and topographic maps indicating the reclamation improvements to be made, an itemized estimate of the project's cost, a description of the project's benefits, and such other information as the chief prescribes. The plan of reclamation may be prepared in consultation with a local soil and water conservation district.

The chief may award the applicant a grant only after finding that the proposed reclamation work will establish vegetative cover and substantially reduce or eliminate erosion, sedimentation, landslides, pollution, accumulation or discharge of acid water, flooding, and damage to adjacent property.

For the purpose of establishing priorities for awarding grants under this section and section 1513.31 of the Revised Code, the chief shall consider each project's feasibility, cost, and public benefits of reclaiming the particular land, its potential for being mined, and the availability of federal or other financial assistance for reclamation.

The chief shall determine the amount of a grant under this section based upon the chief's determination of what constitutes reasonable and necessary expenses actually incurred for establishing vegetative cover, substantially reducing or eliminating erosion, sedimentation, landslides, pollution, accumulation or discharge of acid water, flooding, or damage to adjacent property, and preparing the plan of reclamation. The owner may elect to have other improvements made concurrently, but in no event shall any part of the grant be made for such other improvements, and in no event shall the amount of the grant exceed seventy-five per cent of the total amount, determined by the chief, of what constitutes reasonable and necessary expenses actually incurred for the reclamation measures listed in this section.

The chief shall enter into a contract for funding with each applicant awarded a grant to ensure that the moneys granted are used for the purposes of this section and that the reclamation work is properly done. The final payment may not be made until the chief inspects and approves the completed reclamation work.

Each such contract shall contain provisions for the reimbursement of a portion of the costs of the reclamation that is commensurate with the increase in the fair market value of the property attributable to the reclamation work thereon, as determined by appraisals made before and after reclamation in the manner stated in the agreement, unless such determination discloses an increase in value that is insubstantial in comparison to the benefits to the public from the abatement of pollution or prevention of damage to adjacent property, considering the applicant's share of the reclamation cost. For reimbursement of such portion, the contract may include provisions for:

- (A) Public use for soil, water, forest, or wildlife conservation or public recreation purposes;
- (B) Payment to the state of the share of the income from the crops or timber produced on the land that is stated in the agreement;
- (C) Imposition of a lien in the amount of the increase in fair market value payable upon transfer or conveyance of the property to a new owner;
- (D) Payment to the state in cash in the amount of the increase in fair market value, payable upon completion of the reclamation.

All such reimbursements and payments shall be credited to the unreclaimed lands fund.

Not more than forty per cent of the money credited to the fund during the preceding calendar year may be expended during a calendar year for grants under this section.

The chief shall require every landowner performing reclamation work pursuant to this section to pay workers at the greater of their regular rate of pay, as established by contract, agreement, or prior custom or practice, or the average wage rate in this state for the same or similar work performed in the same or similar locality by private companies doing their own reclamation work.

Sec. 1513.30. There is hereby created in the state treasury the unreclaimed lands fund, to be administered by the chief of the division of mineral resources management and used for the purpose of reclaiming land, public or private, affected by mining, or controlling mine drainage, for which no cash is held in the reclamation forfeiture fund created in section 1513.18 of the Revised Code or the surface mining fund created in section 1514.06 of the Revised Code ~~and also for the purpose of paying the expenses and compensation of the council on unreclaimed strip mined lands as required by section 1513.29 of the Revised Code.~~

In order to direct expenditures from the unreclaimed lands fund toward reclamation projects that fulfill priority needs and provide the greatest public benefits, the chief periodically shall ~~submit to the council project proposals~~ consider projects to be financed from the unreclaimed lands fund, ~~together with benefit and cost data and other pertinent information.~~ For the purpose of selecting project areas and determining the boundaries of project areas, the ~~council~~ chief shall consider the feasibility, cost, and public benefits of reclaiming the areas, their potential for being mined, the availability of federal or other financial assistance for reclamation, and the geographic distribution of project areas to ensure fair distribution among affected areas.

The ~~council~~ chief shall give priority to areas where there is little or no likelihood of mining within the foreseeable future, reclamation is feasible at reasonable cost with available funds, and either of the following applies:

(A) The pollution of the waters of the state and damage to adjacent property are most severe and widespread.

(B) Reclamation will make possible public uses for soil, water, forest, or wildlife conservation or public recreation purposes, will facilitate orderly commercial or industrial site development, or will facilitate the use or improve the enjoyment of nearby public conservation or recreation lands.

Expenditures from the unreclaimed lands fund for reclamation projects may be made only for projects that are within the boundaries of project areas approved by the ~~council~~, ~~and expenditures for a particular project may not exceed any applicable limits set by the council~~ chief. Expenditures from the unreclaimed lands fund shall be made by the chief, with the approval of the director of natural

resources.

The chief may expend an amount not to exceed twenty per cent of the moneys credited annually by the treasurer of state to the unreclaimed lands fund for the purpose of administering the fund.

The chief may engage in cooperative projects under this section with any agency of the United States, appropriate state agencies, or state universities or colleges as defined in section 3345.27 of the Revised Code and may transfer money from the fund, ~~with the approval of the council,~~ to other appropriate state agencies or to state universities or colleges in order to carry out the reclamation activities authorized by this section.

If the director of natural resources determines it to be necessary, the director may request the controlling board to transfer an amount of money from the fund to the coal mining administration and reclamation reserve fund created in section 1513.181 of the Revised Code.

Sec. 1513.31. For the purpose of promoting local or regional economic or community development, the chief of the division of mineral resources management, with the approval of the director of natural resources, may make grants of money from the unreclaimed lands fund created by section 1513.30 of the Revised Code for the payment by the state of up to seventy-five per cent of the reasonable and necessary expenses incurred by a political subdivision, community improvement corporation incorporated under Chapter 1724. of the Revised Code, or other nonprofit corporation incorporated under Chapter 1702. of the Revised Code for the reclamation of any unreclaimed land affected by mining before April 10, 1972, or pursuant to a license issued before April 10, 1972, that is owned by the political subdivision or corporation, is to be reclaimed for the purpose of commercial or industrial site development by the political subdivision or corporation or the development of recreational facilities by the political subdivision, and lies within the boundaries of a project area approved by ~~the council on unreclaimed strip mined lands, in accordance with a plan of reclamation approved by the chief.~~

The owner shall submit an application for a grant on forms furnished by the division of mineral resources management together with detailed plans and topographic maps indicating the reclamation improvements to be made, an itemized estimate of the project's cost, a description of the project's benefits, and such other information as the chief prescribes. The chief may award the applicant a grant only after finding that the proposed reclamation work will render the unreclaimed land suitable for commercial, industrial, or, if the land is owned by a political subdivision, recreational site development and will substantially reduce or eliminate the damage, if any, to adjacent property that is or may be caused by the condition of the unreclaimed land.

The chief shall determine the amount of the grant based upon the chief's determination of what constitutes reasonable and necessary expenses actually incurred for preparing the plan of reclamation; preparing the unreclaimed land for commercial, industrial, or, in the case of land owned by a political subdivision, recreational site development, including backfilling, grading, resoiling, planting, or other work to restore the land to a condition suitable for such development; and, if the condition of the unreclaimed land so requires, establishing vegetative cover or substantially reducing or eliminating erosion, sedimentation, landslides, pollution, accumulation or discharge of acid water, flooding, or damage to adjacent property. The owner may have other improvements made concurrently with the reclamation work, but shall not spend any part of the grant for such other

improvements. No grant shall exceed seventy-five per cent of the total amount, as determined by the chief, of what constitutes reasonable and necessary expenses actually incurred for the reclamation measures listed in this section.

The chief shall enter into a contract for funding with each applicant awarded a grant in order to ensure that the moneys granted are used for the purposes of this section and that the reclamation work is properly done. The final payment under a grant may not be made until the chief inspects and approves the completed reclamation work.

Sec. 1513.32. For the purpose of promoting local or regional economic or community development, the chief of the division of mineral resources management, with the approval of the director of natural resources, may enter into a written agreement, which may be in the form of a contract, with a political subdivision, community improvement corporation incorporated under Chapter 1724. of the Revised Code, or other nonprofit corporation incorporated under Chapter 1702. of the Revised Code that owns any unreclaimed land affected by mining before April 10, 1972, or pursuant to a license issued before April 10, 1972, under which the state or its agents may enter upon the land to reclaim it at state expense with moneys from the unreclaimed lands fund created by section 1513.30 of the Revised Code for the purpose of commercial or industrial site development if the land is owned by a political subdivision or corporation or the development of recreational facilities if the land is owned by a political subdivision. The agreement may include provisions pertaining to liability for damages and any other provisions necessary or desirable to achieve the purposes of this section.

For the purpose of selecting lands to be reclaimed for commercial, industrial, or, if the lands are owned by a political subdivision, recreational site development, the chief shall consult with the owners of unreclaimed lands and with local officials, civic and professional organizations, and interested individuals and shall consider the feasibility, cost, and public benefits of reclaiming particular lands and the availability of federal or other assistance for the reclamation. The chief shall select for reclamation under this section only lands that lie within the boundaries of a project area approved by the ~~council on unreclaimed strip-mined lands~~ chief.

Before entering into the agreement, the chief shall prepare or approve a detailed plan with topographic maps indicating the reclamation improvements to be made, an itemized estimate of the project's cost, a description of the project's benefits, and such other information as the chief considers appropriate. The plan shall include only reclamation work that is necessary to render the unreclaimed land suitable for commercial, industrial, or, if the land is owned by a political subdivision, recreational site development and will substantially reduce or eliminate the damage, if any, to adjacent property that is or may be caused by the condition of the unreclaimed land. The plan may include improvements recommended by the owner, but may not include any improvements that the chief finds are not necessary to prepare the unreclaimed land for commercial, industrial, or, if the land is owned by a political subdivision, recreational site development, or if the condition of the unreclaimed land so requires, are not necessary to establish vegetative cover or substantially reduce or eliminate erosion, sedimentation, landslides, pollution, accumulation or discharge of acid water, flooding, or damage to adjacent property.

With the approval of the director and upon entering into an agreement with the owner, the chief may carry out the plan of reclamation or any part thereof with the employees or equipment of

the department, or the chief may carry out the plan or any part thereof by contracting therefor in accordance with the procedures prescribed in section 1513.27 of the Revised Code. The chief shall keep an itemized record of the state's expense in carrying out the plan.

Expenditure of not more than twenty per cent of the moneys credited to the unreclaimed lands fund during the preceding fiscal year may be approved by the ~~council on unreclaimed strip mined lands~~ chief during a fiscal year for conducting reclamation projects under this section and for making grants under section 1513.31 of the Revised Code, provided that such expenditures are primarily for the pollution abatement purposes of section 1513.30 of the Revised Code.

Sec. 1513.37. (A) There is hereby created in the state treasury the abandoned mine reclamation fund, which shall be administered by the chief of the division of mineral resources management. The fund shall consist of grants from the secretary of the interior from the federal abandoned mine reclamation fund established by Title IV of the "Surface Mining Control and Reclamation Act of 1977," 91 Stat. 445, 30 U.S.C.A. 1201, regulations adopted under it, and amendments to the act and regulations. Expenditures from the abandoned mine reclamation fund shall be made by the chief for the following purposes:

(1) Reclamation and restoration of land and water resources adversely affected by past coal mining, including, but not limited to, reclamation and restoration of abandoned strip mine areas, abandoned coal processing areas, and abandoned coal refuse disposal areas; sealing and filling of abandoned deep mine entries and voids; planting of land adversely affected by past coal mining; prevention of erosion and sedimentation; prevention, abatement, treatment, and control of water pollution created by coal mine drainage, including restoration of streambeds and construction and operation of water treatment plants; prevention, abatement, and control of burning coal refuse disposal areas and burning coal in situ; and prevention, abatement, and control of coal mine subsidence;

(2) Acquisition and filling of voids and sealing of tunnels, shafts, and entryways of noncoal lands;

(3) Acquisition of land as provided for in this section;

(4) Administrative expenses incurred in accomplishing the purposes of this section;

(5) All other necessary expenses to accomplish the purposes of this section.

(B) Expenditures of moneys from the fund on land and water eligible pursuant to division (C) of this section shall reflect the following priorities in the order stated:

(1) The protection of public health, safety, general welfare, and property from extreme danger of adverse effects of coal mining practices;

(2) The protection of public health, safety, and general welfare from adverse effects of coal mining practices;

(3) The restoration of land and water resources and the environment previously degraded by adverse effects of coal mining practices, including measures for the conservation and development of soil and water (excluding channelization), woodland, fish and wildlife, recreation resources, and agricultural productivity;

(4) Research and demonstration projects relating to the development of coal mining reclamation and water quality control program methods and techniques;

(5) The protection, repair, replacement, construction, or enhancement of public facilities such

as utilities, roads, recreation facilities, and conservation facilities adversely affected by coal mining practices;

(6) The development of publicly owned land adversely affected by coal mining practices, including land acquired as provided in this section for recreation and historic purposes, conservation and reclamation purposes, and open space benefits.

(C)(1) Lands and water eligible for reclamation or drainage abatement expenditures under this section are those that were mined for coal or were affected by such mining, wastebanks, coal processing, or other coal mining processes and that meet one of the following criteria:

(a) Are lands that were abandoned or left in an inadequate reclamation status prior to August 3, 1977, and for which there is no continuing reclamation responsibility under state or federal laws;

(b) Are lands for which the chief finds that surface coal mining operations occurred at any time between August 4, 1977, and August 16, 1982, and that any moneys for reclamation or abatement that are available pursuant to a bond, performance security, or other form of financial guarantee or from any other source are not sufficient to provide for adequate reclamation or abatement at the site;

(c) Are lands for which the chief finds that surface coal mining operations occurred at any time between August 4, 1977, and November 5, 1990, that the surety of the mining operator became insolvent during that time, and that, as of November 5, 1990, any moneys immediately available from proceedings relating to that insolvency or from any financial guarantee or other source are not sufficient to provide for adequate reclamation or abatement at the site.

(2) In determining which sites to reclaim pursuant to divisions (C)(1)(b) and (c) of this section, the chief shall follow the priorities stated in divisions (B)(1) and (2) of this section and shall ensure that priority is given to those sites that are in the immediate vicinity of a residential area or that have an adverse economic impact on a local community.

(3) Surface coal mining operations on lands eligible for remining shall not affect the eligibility of those lands for reclamation and restoration under this section after the release of the bond, performance security, or other form of financial guarantee for any such operation as provided under division (F) of section 1513.16 of the Revised Code. If the bond, performance security, or other form of financial guarantee for a surface coal mining operation on lands eligible for remining is forfeited, moneys available under this section may be used if the amount of the bond, performance security, or other form of financial guarantee is not sufficient to provide for adequate reclamation or abatement, except that if conditions warrant, the chief immediately shall exercise the authority granted under division (L) of this section.

(D) The chief may submit to the secretary of the interior a state reclamation plan and annual projects to carry out the purposes of this section.

(1) The reclamation plan generally shall identify the areas to be reclaimed, the purposes for which the reclamation is proposed, the relationship of the lands to be reclaimed and the proposed reclamation to surrounding areas, the specific criteria for ranking and identifying projects to be funded, and the legal authority and programmatic capability to perform the work in accordance with this section.

(2) On an annual basis, the chief may submit to the secretary an application for support of the abandoned mine reclamation fund and implementation of specific reclamation projects. The annual

requests shall include such information as may be requested by the secretary.

~~Before submitting an annual application to the secretary, the chief first shall submit it to the council on unreclaimed strip mined lands for review and approval by the council. The chief shall not submit such an application to the secretary until it has been approved by the council. The chief shall submit applications for administrative costs, imminent hazards, or emergency projects to the council for review.~~

(3) The costs for each proposed project under this section shall include actual construction costs, actual operation and maintenance costs of permanent facilities, planning and engineering costs, construction inspection costs, and other necessary administrative expenses.

~~(4) Before making any expenditure of funds from the fund to implement any specific reclamation project under this section, the chief first shall submit to the council a project proposal and any other pertinent information regarding the project requested by the council for review and approval of the specific project by the council.~~

~~(5) The chief may submit annual and other reports required by the secretary when funds are provided by the secretary under Title IV of the "Surface Mining Control and Reclamation Act of 1977," 91 Stat. 445, 30 U.S.C.A. 1201, regulations adopted under it, and amendments to the act and regulations.~~

(E)(1) There is hereby created in the state treasury the acid mine drainage abatement and treatment fund, which shall be administered by the chief. The fund shall consist of grants from the secretary of the interior from the federal abandoned mine reclamation fund pursuant to section 402(g)(6) of Title IV of the "Surface Mining Control and Reclamation Act of 1977," 91 Stat. 445, 30 U.S.C.A. 1201. All investment earnings of the fund shall be credited to the fund.

(2) The chief shall make expenditures from the fund, in consultation with the United States department of agriculture, soil conservation service, to implement acid mine drainage abatement and treatment plans approved by the secretary. The plans shall provide for the comprehensive abatement of the causes and treatment of the effects of acid mine drainage within qualified hydrologic units affected by coal mining practices and shall include at least all of the following:

(a) An identification of the qualified hydrologic unit. As used in division (E) of this section, "qualified hydrologic unit" means a hydrologic unit that meets all of the following criteria:

(i) The water quality in the unit has been significantly affected by acid mine drainage from coal mining practices in a manner that has an adverse impact on biological resources.

(ii) The unit contains lands and waters that meet the eligibility requirements established under division (C) of this section and any of the priorities established in divisions (B)(1) to (3) of this section.

(iii) The unit contains lands and waters that are proposed to be the subject of expenditures from the reclamation forfeiture fund created in section 1513.18 of the Revised Code or the unreclaimed lands fund created in section 1513.30 of the Revised Code.

(b) The extent to which acid mine drainage is affecting the water quality and biological resources within the hydrologic unit;

(c) An identification of the sources of acid mine drainage within the hydrologic unit;

(d) An identification of individual projects and the measures proposed to be undertaken to abate and treat the causes or effects of acid mine drainage within the hydrologic unit;

- (e) The cost of undertaking the proposed abatement and treatment measures;
- (f) An identification of existing and proposed sources of funding for those measures;
- (g) An analysis of the cost-effectiveness and environmental benefits of abatement and treatment measures.

(3) The chief may make grants of moneys from the acid mine drainage abatement and treatment fund to watershed groups for conducting projects to accomplish the purposes of this section. A grant may be made in an amount equal to not more than fifty per cent of each of the following:

(a) Reasonable and necessary expenses for the collection and analysis of data sufficient to do either or both of the following:

- (i) Identify a watershed as a qualified hydrologic unit;
- (ii) Monitor the quality of water in a qualified hydrologic unit before, during, and at any time after completion of the project by the watershed group.

(b) Engineering design costs and construction costs involved in the project, provided that the project is conducted in a qualified hydrologic unit and the chief considers the project to be a priority.

A watershed group that wishes to obtain a grant under division (E)(3) of this section shall submit an application to the chief on forms provided by the division of mineral resources management, together with detailed estimates and timetables for accomplishing the stated goals of the project and any other information that the chief requires.

For the purposes of establishing priorities for awarding grants under division (E)(3) of this section, the chief shall consider each project's feasibility, cost-effectiveness, and environmental benefit, together with the availability of matching funding, including in-kind services, for the project.

The chief shall enter into a contract for funding with each applicant awarded a grant to ensure that the moneys granted are used for the purposes of this section and that the work that the project involves is done properly. The contract is not subject to division (B) of section 127.16 of the Revised Code. The final payment of grant moneys shall not be made until the chief inspects and approves the completed project.

The chief shall require each applicant awarded a grant under this section who conducts a project involving construction work to pay workers at the greater of their regular rate of pay, as established by contract, agreement, or prior custom or practice, or the average wage rate paid in this state for the same or similar work performed in the same or a similar locality by private companies doing similar work on similar projects.

As used in division (E)(3) of this section, "watershed group" means a charitable organization as defined in section 1716.01 of the Revised Code that has been established for the purpose of conducting reclamation of land and waters adversely affected by coal mining practices and specifically for conducting acid mine drainage abatement.

(F)(1) If the chief makes a finding of fact that land or water resources have been adversely affected by past coal mining practices; the adverse effects are at a stage where, in the public interest, action to restore, reclaim, abate, control, or prevent the adverse effects should be taken; the owners of the land or water resources where entry must be made to restore, reclaim, abate, control, or prevent the adverse effects of past coal mining practices are not known or are not readily available; or the owners will not give permission for the state, political subdivisions, or their agents, employees, or

contractors to enter upon the property to restore, reclaim, abate, control, or prevent the adverse effects of past coal mining practices; then, upon giving notice by mail to the owners, if known, or, if not known, by posting notice upon the premises and advertising once in a newspaper of general circulation in the municipal corporation or county in which the land lies, the chief or the chief's agents, employees, or contractors may enter upon the property adversely affected by past coal mining practices and any other property to have access to the property to do all things necessary or expedient to restore, reclaim, abate, control, or prevent the adverse effects. The entry shall be construed as an exercise of the police power for the protection of the public health, safety, and general welfare and shall not be construed as an act of condemnation of property nor of trespass on it. The moneys expended for the work and the benefits accruing to any such premises so entered upon shall be chargeable against the land and shall mitigate or offset any claim in or any action brought by any owner of any interest in the premises for any alleged damages by virtue of the entry, but this provision is not intended to create new rights of action or eliminate existing immunities.

(2) The chief or the chief's authorized representatives may enter upon any property for the purpose of conducting studies or exploratory work to determine the existence of adverse effects of past coal mining practices and to determine the feasibility of restoration, reclamation, abatement, control, or prevention of such adverse effects. The entry shall be construed as an exercise of the police power for the protection of the public health, safety, and general welfare and shall not be construed as an act of condemnation of property nor trespass on it.

(3) The chief may acquire any land by purchase, donation, or condemnation that is adversely affected by past coal mining practices if the chief determines that acquisition of the land is necessary to successful reclamation and that all of the following apply:

(a) The acquired land, after restoration, reclamation, abatement, control, or prevention of the adverse effects of past coal mining practices, will serve recreation and historic purposes, serve conservation and reclamation purposes, or provide open space benefits.

(b) Permanent facilities such as a treatment plant or a relocated stream channel will be constructed on the land for the restoration, reclamation, abatement, control, or prevention of the adverse effects of past coal mining practices.

(c) Acquisition of coal refuse disposal sites and all coal refuse thereon will serve the purposes of this section or public ownership is desirable to meet emergency situations and prevent recurrences of the adverse effects of past coal mining practices.

(4)(a) Title to all lands acquired pursuant to this section shall be in the name of the state. The price paid for land acquired under this section shall reflect the market value of the land as adversely affected by past coal mining practices.

(b) The chief may receive grants on a matching basis from the secretary of the interior for the purpose of carrying out this section.

(5)(a) Where land acquired pursuant to this section is considered to be suitable for industrial, commercial, residential, or recreational development, the chief may sell the land by public sale under a system of competitive bidding at not less than fair market value and under other requirements imposed by rule to ensure that the lands are put to proper use consistent with local and state land use plans, if any, as determined by the chief.

(b) The chief, when requested, and after appropriate public notice, shall hold a public meeting

in the county, counties, or other appropriate political subdivisions of the state in which lands acquired pursuant to this section are located. The meetings shall be held at a time that shall afford local citizens and governments the maximum opportunity to participate in the decision concerning the use or disposition of the lands after restoration, reclamation, abatement, control, or prevention of the adverse effects of past coal mining practices.

(6) In addition to the authority to acquire land under division (F)(3) of this section, the chief may use money in the fund to acquire land by purchase, donation, or condemnation, and to reclaim and transfer acquired land to a political subdivision, or to any person, if the chief determines that it is an integral and necessary element of an economically feasible plan for the construction or rehabilitation of housing for persons disabled as the result of employment in the mines or work incidental to that employment, persons displaced by acquisition of land pursuant to this section, persons dislocated as the result of adverse effects of coal mining practices that constitute an emergency as provided in the "Surface Mining Control and Reclamation Act of 1977," 91 Stat. 466, 30 U.S.C.A. 1240, or amendments to it, or persons dislocated as the result of natural disasters or catastrophic failures from any cause. Such activities shall be accomplished under such terms and conditions as the chief requires, which may include transfers of land with or without monetary consideration, except that to the extent that the consideration is below the fair market value of the land transferred, no portion of the difference between the fair market value and the consideration shall accrue as a profit to those persons. No part of the funds provided under this section may be used to pay the actual construction costs of housing. The chief may carry out the purposes of division (F)(6) of this section directly or by making grants and commitments for grants and may advance money under such terms and conditions as the chief may require to any agency or instrumentality of the state or any public body or nonprofit organization designated by the chief.

(G)(1) Within six months after the completion of projects to restore, reclaim, abate, control, or prevent adverse effects of past coal mining practices on privately owned land, the chief shall itemize the moneys so expended and may file a statement of the expenditures in the office of the county recorder of the county in which the land lies, together with a notarized appraisal by an independent appraiser of the value of the land before the restoration, reclamation, abatement, control, or prevention of adverse effects of past coal mining practices if the moneys so expended result in a significant increase in property value. The statement shall constitute a lien upon the land as of the date of the expenditures of the moneys and shall have priority as a lien second only to the lien of real property taxes imposed upon the land. The lien shall not exceed the amount determined by the appraisal to be the increase in the fair market value of the land as a result of the restoration, reclamation, abatement, control, or prevention of the adverse effects of past coal mining practices. No lien shall be filed under division (G) of this section against the property of any person who owned the surface prior to May 2, 1977, and did not consent to, participate in, or exercise control over the mining operation that necessitated the reclamation performed.

(2) The landowner may petition, within sixty days after the filing of the lien, to determine the increase in the fair market value of the land as a result of the restoration, reclamation, abatement, control, or prevention of the adverse effects of past coal mining practices. The amount reported to be the increase in value of the premises shall constitute the amount of the lien and shall be recorded with the statement provided in this section. Any party aggrieved by the decision may appeal as provided

by state law.

(3) The lien provided in division (G) of this section shall be recorded and indexed, under the name of the state and the landowner, in the official records in the office of the county recorder of the county in which the land lies. The county recorder shall impose no charge for the recording or indexing of the lien. If the land is registered, the county recorder shall make a notation and enter a memorial of the lien upon the page of the register in which the last certificate of title to the land is registered, stating the name of the claimant, amount claimed, volume and page of the record where recorded, and exact time the memorial was entered.

(4) The lien shall continue in force so long as any portion of the amount of the lien remains unpaid. If the lien remains unpaid at the time of conveyance of the land on which the lien was placed, the conveyance may be set aside. Upon repayment in full of the moneys expended under this section, the chief promptly shall issue a certificate of release of the lien. Upon presentation of the certificate of release, the county recorder of the county in which the lien is recorded shall record the lien as having been discharged.

(5) A lien imposed under this section shall be foreclosed upon the substantial failure of a landowner to pay any portion of the amount of the lien. Before foreclosing any lien under this section, the chief shall make a written demand upon the landowner for payment. If the landowner does not pay the amount due within sixty days, the chief shall refer the matter to the attorney general, who shall institute a civil action to foreclose the lien.

(H)(1) The chief may fill voids, seal abandoned tunnels, shafts, and entryways, and reclaim surface impacts of underground or strip mines that the chief determines could endanger life and property, constitute a hazard to the public health and safety, or degrade the environment.

(2) In those instances where mine waste piles are being reworked for conservation purposes, the incremental costs of disposing of the wastes from those operations by filling voids and sealing tunnels may be eligible for funding, provided that the disposal of these wastes meets the purposes of this section.

(3) The chief may acquire by purchase, donation, easement, or otherwise such interest in land as the chief determines necessary to carry out division (H) of this section.

(I) The chief shall report annually to the secretary of the interior on operations under the fund and include recommendations as to its future uses.

(J)(1) The chief may engage in any work and do all things necessary or expedient, including the adoption of rules, to implement and administer this section.

(2) The chief may engage in cooperative projects under this section with any agency of the United States, any other state, or their governmental agencies or with any state university or college as defined in section 3345.27 of the Revised Code. The cooperative projects are not subject to division (B) of section 127.16 of the Revised Code.

(3) The chief may request the attorney general to initiate in any court of competent jurisdiction an action in equity for an injunction to restrain any interference with the exercise of the right to enter or to conduct any work provided in this section, which remedy is in addition to any other remedy available under this section.

(4) The chief may construct or operate a plant or plants for the control and treatment of water pollution resulting from mine drainage. The extent of this control and treatment may be dependent

upon the ultimate use of the water. Division (J)(4) of this section does not repeal or supersede any portion of the "Federal Water Pollution Control Act," 70 Stat. 498 (1965), 33 U.S.C.A. 1151, as amended, and no control or treatment under division (J)(4) of this section, in any way, shall be less than that required by that act. The construction of a plant or plants may include major interceptors and other facilities appurtenant to the plant.

(5) The chief may transfer money from the abandoned mine reclamation fund and the acid mine drainage abatement and treatment fund to other appropriate state agencies or to state universities or colleges in order to carry out the reclamation activities authorized by this section.

(K) The chief may contract for any part of work to be performed under this section, with or without advertising for bids, if the chief determines that a condition exists that could reasonably be expected to cause substantial physical harm to persons, property, or the environment and to which persons or improvements on real property are currently exposed.

The chief shall require every contractor performing reclamation work under this section to pay its workers at the greater of their regular rate of pay, as established by contract, agreement, or prior custom or practice, or the average wage rate paid in this state for the same or similar work as determined by the chief under section 1513.02 of the Revised Code.

(L)(1) The chief may contract for the emergency restoration, reclamation, abatement, control, or prevention of adverse effects of mining practices on eligible lands if the chief determines that an emergency exists constituting a danger to the public health, safety, or welfare and that no other person or agency will act expeditiously to restore, reclaim, abate, control, or prevent those adverse effects. The chief may enter into a contract for emergency work under division (L) of this section without advertising for bids. Any such contract or any purchase of materials for emergency work under division (L) of this section is not subject to division (B) of section 127.16 of the Revised Code.

(2) The chief or the chief's agents, employees, or contractors may enter on any land where such an emergency exists, and on other land in order to have access to that land, in order to restore, reclaim, abate, control, or prevent the adverse effects of mining practices and to do all things necessary or expedient to protect the public health, safety, or welfare. Such an entry shall be construed as an exercise of the police power and shall not be construed as an act of condemnation of property or of trespass. The moneys expended for the work and the benefits accruing to any premises so entered upon shall be chargeable against the land and shall mitigate or offset any claim in or any action brought by any owner of any interest in the premises for any alleged damages by virtue of the entry. This provision is not intended to create new rights of action or eliminate existing immunities.

~~Sec. 1517.23. With the advice of the Ohio natural areas council created in section 1517.03 of the Revised Code, the~~ The chief of the division of natural areas and preserves shall do both of the following:

(A) Formulate policies and plans and establish a program incorporating them for the identification and protection of the state's cave resources and adopt, amend, or rescind rules in accordance with Chapter 119. of the Revised Code to implement that program;

(B) Provide technical assistance and management advice to owners upon request concerning the protection of caves on their land.

Sec. 1546.06. The chief of the division of parks and watercraft shall prepare and submit to the director of natural resources maps and descriptions of the areas of lands and waters which the chief

intends to designate as state park purchase areas. Such state park purchase areas may include lands and waters at the time belonging to the state, together with lands and waters not belonging to the state but which for reasons of protection, utilization, and administration should be subject to purchase by the state for park purposes. If such area is approved by the director ~~and the recreation and resources council created in section 1501.04 of the Revised Code~~, it shall be known as a state park purchase area, and the map and description thereof, with the approval of the director indorsed thereon, shall be filed in duplicate with the auditor of state and the attorney general.

All moneys appropriated for the purchase of lands and waters by the state for park purposes, unless specifically appropriated for the purchase of particular tracts or areas, may be expended for the purchase of lands or waters within any legally established state park purchase area. If, after the purchase of specifically designated tracts or areas, moneys from such appropriations remain unexpended, upon the request of the director, the controlling board shall release such funds, in whole or in part, for the purchase of lands or waters within any state park purchase area.

Sec. 1547.81. The director of natural resources or the director's representative may create, supervise, operate, protect, and maintain wild, scenic, and recreational river areas. In creating wild, scenic, and recreational river areas, the director shall classify each such area as either a wild river area, a scenic river area, or a recreational river area. The director or the director's representative may prepare and maintain a plan for the establishment, development, use, and administration of those areas as a part of the comprehensive state plans for water management and outdoor recreation. The director or the director's representative may cooperate with federal agencies administering any federal program concerning wild, scenic, or recreational river areas.

The director may propose for establishment as a wild, scenic, or recreational river area a part or parts of any watercourse in this state, with adjacent lands, that in the director's judgment possesses water conservation, scenic, fish, wildlife, historic, or outdoor recreation values that should be preserved. The area shall include lands adjacent to the watercourse in sufficient width to preserve, protect, and develop the natural character of the watercourse, but shall not include any lands more than one thousand feet from the normal waterlines of the watercourse unless an additional width is necessary to preserve water conservation, scenic, fish, wildlife, historic, or outdoor recreation values.

The director shall publish the intention to declare an area a wild, scenic, or recreational river area at least once in a newspaper of general circulation in each county, any part of which is within the area, and shall send written notice of the intention to the legislative authority of each county, township, and municipal corporation and to each conservancy district established under Chapter 6101. of the Revised Code, any part of which is within the area, and to the director of transportation, the director of development, the director of administrative services, and the director of environmental protection. The notices shall include a copy of a map and description of the area.

After thirty days from the last date of publication or dispatch of written notice as required in this section, the director shall enter a declaration in the director's journal that the area is a wild river area, scenic river area, or recreational river area. When so entered, the area is a wild, scenic, or recreational river area, as applicable. The director, after thirty days' notice as prescribed in this section ~~and upon the approval of the recreation and resources commission created in section 1501.04 of the Revised Code~~, may terminate the status of an area as a wild river area, scenic river area, or recreational river area by an entry in the director's journal.

Declaration by the director that an area is a wild, scenic, or recreational river area does not authorize the director or any governmental agency or political subdivision to restrict the use of land by the owner thereof or any person acting under the landowner's authority or to enter upon the land and does not expand or abridge the regulatory authority of any governmental agency or political subdivision over the area.

The director may enter into a lease or other agreement with a political subdivision to administer all or part of a wild, scenic, or recreational river area and may acquire real property or any estate, right, or interest therein in order to provide for the protection and public recreational use of a wild, scenic, or recreational river area.

The chief of the division of parks and watercraft or the chief's representative may participate in watershed-wide planning with federal, state, and local agencies in order to protect the values of wild, scenic, and recreational river areas.

Sec. 1551.35. (A) There is hereby established a technical advisory committee to assist the director of the Ohio coal development office in achieving the office's purposes. The director of development services shall appoint to the committee one member of the public utilities commission and one representative each of coal production companies, the united mine workers of America, and electric utilities, ~~manufacturers that use Ohio coal, and environmental organizations~~, as well as two people with a background in coal research and development technology, one of whom is employed at the time of the member's appointment by a state university, as defined in section 3345.011 of the Revised Code. In addition, the committee shall include four legislative members. The speaker and minority leader of the house of representatives each shall appoint one member of the house of representatives, and the president and minority leader of the senate each shall appoint one member of the senate, to the committee. The director of environmental protection shall serve on the committee as an ex officio member. Any member of the committee may designate in writing a substitute to serve in the member's absence on the committee. The director of environmental protection may designate in writing the chief of the air pollution control division of the agency to represent the agency. Members shall serve on the committee at the pleasure of their appointing authority. Members of the committee appointed by the director of development services and, notwithstanding section 101.26 of the Revised Code, legislative members of the committee, when engaged in their official duties as members of the committee, shall be compensated on a per diem basis in accordance with division (J) of section 124.15 of the Revised Code, except that the member of the public utilities commission and, while employed by a state university, the member with a background in coal research, shall not be so compensated. Members shall receive their actual and necessary expenses incurred in the performance of their duties.

(B) The technical advisory committee shall review and make recommendations concerning the Ohio coal development agenda required under section 1551.34 of the Revised Code, project proposals, research and development projects submitted to the office by public utilities for the purpose of section 4905.304 of the Revised Code, proposals for grants, loans, and loan guarantees for purposes of sections 1555.01 to 1555.06 of the Revised Code, and such other topics as the director of the office considers appropriate.

(C) The technical advisory committee may hold an executive session at any regular or special meeting for the purpose of considering research and development project proposals or applications

for assistance submitted to the Ohio coal development office under section 1551.33, or sections 1555.01 to 1555.06, of the Revised Code, to the extent that the proposals or applications consist of trade secrets or other proprietary information.

Any materials or data submitted to, made available to, or received by the development services agency or the director of the Ohio coal development office in connection with agreements for assistance entered into under this chapter or Chapter 1555. of the Revised Code, or any information taken from those materials or data for any purpose, to the extent that the materials or data consist of trade secrets or other proprietary information, are not public records for the purposes of section 149.43 of the Revised Code.

As used in this division, "trade secrets" has the same meaning as in section 1333.61 of the Revised Code.

Sec. 1557.06. (A) The parks and natural resources local assistance grant program is hereby established to provide grants to local government entities for capital improvements for the acquisition, construction, reconstruction, expansion, improvement, planning, and equipping of capital projects that enhance the use and enjoyment of natural resources by individuals. Such projects include, but are not limited to, the acquisition of lands, facilities, and waters for public recreation, or for the preservation of wetlands or unique habitats; the development, construction, reconstruction, expansion, or rehabilitation of recreation areas and facilities; and projects to provide public park and recreation opportunities by improving public access or safety. Grants shall not be awarded for administrative, operating, or maintenance costs; or for areas, facilities, or structures for athletics, arts, historic sites, or other purposes, that are not used primarily for public recreation.

The director of natural resources shall administer the parks and natural resources local assistance grant program in accordance with procedures and criteria that the director shall develop ~~with the approval of the recreation and resources council created in section 1501.04 of the Revised Code.~~

(B) Grants awarded under this section may provide up to seventy-five per cent of the total project costs approved by the director. At least twenty per cent of such costs must be provided by the grant recipient from nonstate, nonfederal sources. Local government entities may apply for grants individually or jointly.

(C) The criteria developed for the administration of the program shall require a local government entity receiving a grant for a project under this section to have sufficient real property interests in the project for the purposes of the obligations issued under this chapter, and shall require that the projects be retained and used in a manner consistent with the purposes of Section 21 of Article VIII, Ohio Constitution.

(D) The director shall allocate to each county a portion of the proceeds of the first two hundred million dollars principal amount in obligations issued under this chapter, for projects of local government entities within each county. The director shall determine each county's allocation by calculating both of the following for each county:

- (1) Its per capita share of forty million dollars;
- (2) Its per capita share of thirty million dollars plus one hundred thirteen thousand six hundred thirty-six dollars.

The larger of the amount calculated under division (D)(1) or (2) of this section for each

county shall be that county's allocation, and whatever percentage of the first two hundred million dollars principal amount in obligations issued under this chapter that is necessary to satisfy the requirements of division (D) of this section, shall be so allocated.

(E) The director shall allocate to each county a portion of twenty per cent of the proceeds in excess of the first two hundred million dollars principal amount in obligations issued under this chapter, for projects of local government entities within each county. The director shall determine each county's allocation by calculating both of the following and combining the amounts calculated for each county:

(1) One-third of twenty per cent of the proceeds to be divided equally among all of the counties;

(2) Two-thirds of twenty per cent of the proceeds to be distributed on a per capita basis to each county.

(F) Any moneys granted under division (E) of this section and not obligated within a county after two funding cycles, at the discretion of the director, shall be reallocated to projects either in the county to which they originally were allocated or in other counties demonstrating a need for the funds.

Sec. 2933.82. (A) As used in this section:

(1)(a) "Biological evidence" means any of the following:

(i) The contents of a sexual assault examination kit;

(ii) Any item that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids, or any other identifiable biological material that was collected as part of a criminal investigation or delinquent child investigation and that reasonably may be used to incriminate or exculpate any person for an offense or delinquent act.

(b) The definition of "biological evidence" set forth in division (A)(1)(a) of this section applies whether the material in question is cataloged separately, such as on a slide or swab or in a test tube, or is present on other evidence, including, but not limited to, clothing, ligatures, bedding or other household material, drinking cups or containers, or cigarettes.

(2) "Biological material" has the same meaning as in section 2953.71 of the Revised Code.

(3) "DNA," "DNA analysis," "DNA database," "DNA record," and "DNA specimen" have the same meanings as in section 109.573 of the Revised Code.

(4) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(5) "Governmental evidence-retention entity" means all of the following:

(a) Any law enforcement agency, prosecutor's office, court, public hospital, crime laboratory, or other governmental or public entity or individual within this state that is charged with the collection, storage, or retrieval of biological evidence;

(b) Any official or employee of any entity or individual described in division (A)(5)(a) of this section.

(B)(1) Each governmental evidence-retention entity that secures any biological evidence in relation to an investigation or prosecution of a criminal offense or delinquent act that is a violation of section 2903.01, 2903.02, or 2903.03, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02 or 2907.03 or division (A)(4) or (B) of section 2907.05 of the Revised Code, or an attempt to commit a violation of section 2907.02 of the Revised

Code shall secure the biological evidence for whichever of the following periods of time is applicable:

(a) For a violation of section 2903.01 or 2903.02 of the Revised Code, for the period of time that the offense or act remains unsolved;

(b) For a violation of section 2903.03, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02 or 2907.03 or of division (A)(4) or (B) of section 2907.05 of the Revised Code, or an attempt to commit a violation of section 2907.02 of the Revised Code, for a period of thirty years if the offense or act remains unsolved;

(c) If any person is convicted of or pleads guilty to the offense, or is adjudicated a delinquent child for committing the delinquent act, for the earlier of the following: (i) the expiration of the latest of the following periods of time that apply to the person: the period of time that the person is incarcerated, is in a department of youth services institution or other juvenile facility, is under a community control sanction for that offense, is under any order of disposition for that act, is on probation or parole for that offense, is under judicial release or supervised release for that act, is under post-release control for that offense, is involved in civil litigation in connection with that offense or act, or is subject to registration and other duties imposed for that offense or act under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code or (ii) thirty years. If after the period of thirty years the person remains incarcerated, then the governmental evidence-retention entity shall secure the biological evidence until the person is released from incarceration or dies.

(2)(a) A law enforcement agency shall review all of its records and reports pertaining to its investigation of any offense specified in division (B)(1) of this section as soon as possible after ~~the effective date of this amendment~~ March 23, 2015. If the law enforcement agency's review determines that one or more persons may have committed or participated in an offense specified in division (B)(1) of this section or another offense committed during the course of an offense specified in division (B)(1) of this section and the agency is in possession of a sexual assault examination kit secured during the course of the agency's investigation, as soon as possible, but not later than one year after ~~the effective date of this amendment~~ March 23, 2015, the agency shall forward the contents of the kit to the bureau of criminal identification and investigation or another crime laboratory for a DNA analysis of the contents of the kit if a DNA analysis has not previously been performed on the contents of the kit. The law enforcement agency shall consider the period of time remaining under section 2901.13 of the Revised Code for commencing the prosecution of a criminal offense related to the DNA specimens from the kit as well as other relevant factors in prioritizing the forwarding of the contents of sexual assault examination kits.

(b) If an investigation is initiated on or after ~~the effective date of this amendment~~ March 23, 2015, and if a law enforcement agency investigating an offense specified in division (B)(1) of this section determines that one or more persons may have committed or participated in an offense specified in division (B)(1) of this section or another offense committed during the course of an offense specified in division (B)(1) of this section, the law enforcement agency shall forward the contents of a sexual assault examination kit in the agency's possession to the bureau or another crime laboratory within thirty days for a DNA analysis of the contents of the kit.

(c) A law enforcement agency shall be considered in the possession of a sexual assault examination kit that is not in the law enforcement agency's possession for purposes of divisions (B)

(2)(a) and (b) of this section if the sexual assault examination kit contains biological evidence related to the law enforcement agency's investigation of an offense specified in division (B)(1) of this section and is in the possession of another government evidence-retention entity. The law enforcement agency shall be responsible for retrieving the sexual assault examination kit from the government evidence-retention entity and forwarding the contents of the kit to the bureau or another crime laboratory as required under divisions (B)(2)(a) and (b) of this section.

(d)(i) The bureau or a laboratory under contract with the bureau pursuant to division (B)(5) of section 109.573 of the Revised Code shall perform a DNA analysis of the contents of any sexual assault examination kit forwarded to the bureau pursuant to division (B)(2)(a) or (b) of this section as soon as possible after the bureau receives the contents of the kit. The bureau shall enter the resulting DNA record into a DNA database. If the DNA analysis is performed by a laboratory under contract with the bureau, the laboratory shall forward the biological evidence to the bureau immediately after the laboratory performs the DNA analysis. A crime laboratory shall perform a DNA analysis of the contents of any sexual assault examination kit forwarded to the crime laboratory pursuant to division (B)(2)(a) or (b) of this section as soon as possible after the crime laboratory receives the contents of the kit and shall enter the resulting DNA record into a DNA database subject to the applicable DNA index system standards.

(ii) Upon the completion of the DNA analysis by the bureau or a crime laboratory under contract with the bureau under this division, the bureau shall return the contents of the sexual assault examination kit to the law enforcement agency. The law enforcement agency shall secure the contents of the sexual assault examination kit in accordance with division (B)(1) of this section, as applicable.

(e) The failure of any law enforcement agency to comply with any time limit specified in this section shall not create, and shall not be construed as creating, any basis or right to appeal, claim for or right to postconviction relief, or claim for or right to a new trial or any other claim or right to relief by any person.

(3) This section applies to evidence likely to contain biological material that was in the possession of any governmental evidence-retention entity during the investigation and prosecution of a criminal case or delinquent child case involving a violation of section 2903.01, 2903.02, or 2903.03, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02 or 2907.03 or of division (A)(4) or (B) of section 2907.05 of the Revised Code, or an attempt to commit a violation of section 2907.02 of the Revised Code.

(4) A governmental evidence-retention entity that possesses biological evidence shall retain the biological evidence in the amount and manner sufficient to develop a DNA record from the biological material contained in or included on the evidence.

(5) Upon written request by the defendant in a criminal case or the alleged delinquent child in a delinquent child case involving a violation of section 2903.01, 2903.02, or 2903.03, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02 or 2907.03 or of division (A)(4) or (B) of section 2907.05 of the Revised Code, or an attempt to commit a violation of section 2907.02 of the Revised Code, a governmental evidence-retention entity that possesses biological evidence shall prepare an inventory of the biological evidence that has been preserved in connection with the defendant's criminal case or the alleged

delinquent child's delinquent child case.

(6) Except as otherwise provided in division (B)(8) of this section, a governmental evidence-retention entity that possesses biological evidence that includes biological material may destroy the evidence before the expiration of the applicable period of time specified in division (B)(1) of this section if all of the following apply:

(a) No other provision of federal or state law requires the state to preserve the evidence.

(b) The governmental evidence-retention entity, by certified mail, return receipt requested, provides notice of intent to destroy the evidence to all of the following:

(i) All persons who remain in custody, incarcerated, in a department of youth services institution or other juvenile facility, under a community control sanction, under any order of disposition, on probation or parole, under judicial release or supervised release, under post-release control, involved in civil litigation, or subject to registration and other duties imposed for that offense or act under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code as a result of a criminal conviction, delinquency adjudication, or commitment related to the evidence in question;

(ii) The attorney of record for each person who is in custody in any circumstance described in division (B)(6)(b)(i) of this section if the attorney of record can be located;

(iii) The state public defender;

(iv) The office of the prosecutor of record in the case that resulted in the custody of the person in custody in any circumstance described in division (B)(6)(b)(i) of this section;

(v) The attorney general.

(c) No person who is notified under division (B)(6)(b) of this section does either of the following within one year after the date on which the person receives the notice:

(i) Files a motion for testing of evidence under sections 2953.71 to 2953.81 or section 2953.82 of the Revised Code;

(ii) Submits a written request for retention of evidence to the governmental evidence-retention entity that provided notice of its intent to destroy evidence under division (B)(6)(b) of this section.

(7) Except as otherwise provided in division (B)(8) of this section, if, after providing notice under division (B)(6)(b) of this section of its intent to destroy evidence, a governmental evidence-retention entity receives a written request for retention of the evidence from any person to whom the notice is provided, the governmental evidence-retention entity shall retain the evidence while the person referred to in division (B)(6)(b)(i) of this section remains in custody, incarcerated, in a department of youth services institution or other juvenile facility, under a community control sanction, under any order of disposition, on probation or parole, under judicial release or supervised release, under post-release control, involved in civil litigation, or subject to registration and other duties imposed for that offense or act under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code as a result of a criminal conviction, delinquency adjudication, or commitment related to the evidence in question.

(8) A governmental evidence-retention entity that possesses biological evidence that includes biological material may destroy the evidence five years after a person pleads guilty or no contest to a violation of section 2903.01, 2903.02, or 2903.03, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02, 2907.03, division (A)(4) or (B) of

section 2907.05, or an attempt to commit a violation of section 2907.02 of the Revised Code and all appeals have been exhausted unless, upon a motion to the court by the person who pleaded guilty or no contest or the person's attorney and notice to those persons described in division (B)(6)(b) of this section requesting that the evidence not be destroyed, the court finds good cause as to why that evidence must be retained.

(9) A governmental evidence-retention entity shall not be required to preserve physical evidence pursuant to this section that is of such a size, bulk, or physical character as to render retention impracticable. When retention of physical evidence that otherwise would be required to be retained pursuant to this section is impracticable as described in this division, the governmental evidence-retention entity that otherwise would be required to retain the physical evidence shall remove and preserve portions of the material evidence likely to contain biological evidence related to the offense, in a quantity sufficient to permit future DNA testing before returning or disposing of that physical evidence.

~~(C)(1) The preservation of biological evidence task force established within the bureau of criminal identification and investigation under section 109.561 of the Revised Code shall establish a system regarding the proper preservation of biological evidence in this state. In establishing the system, the task force shall do all of the following:-~~

~~(a) Devise standards regarding the proper collection, retention, and cataloging of biological evidence for ongoing investigations and prosecutions;-~~

~~(b) Recommend practices, protocols, models, and resources for the cataloging and accessibility of preserved biological evidence already in the possession of governmental evidence-retention entities;-~~

~~(2) In consultation with the preservation of biological evidence task force described in division (C)(1) of this section, the~~ The office of the attorney general shall administer and conduct training programs for law enforcement officers and other relevant employees who are charged with preserving and cataloging biological evidence regarding the methods and procedures referenced in this section.

Sec. 3334.03. (A)(1) There is hereby created the Ohio tuition trust authority within the office of the chancellor of the Ohio board of regents, which shall have the powers enumerated in this chapter and which shall operate as a qualified state tuition program within the meaning of section 529 of the Internal Revenue Code. The exercise by the authority of its powers shall be and is hereby declared an essential state governmental function. The authority is subject to all provisions of law generally applicable to state agencies which do not conflict with the provisions of this chapter.

(2) Except for the duties and responsibilities under this chapter of the Ohio tuition trust authority investment board as specified in divisions (B)(2) and (3) of this section, the Ohio tuition trust authority shall perform all duties and responsibilities specified under this chapter.

(B)(1)(a) There is hereby created the Ohio tuition trust authority investment board, which shall consist of eleven members, no more than six of whom shall be of the same political party. Six members shall be appointed by the governor, with the advice and consent of the senate ~~as follows: one shall represent state institutions of higher education, one shall represent private nonprofit colleges and universities located in Ohio, one shall have experience in the field of marketing or public relations, one shall have experience in the field of information systems design or management;~~

~~and two shall have experience in the field of banking, investment banking, insurance, or law, who have significant experience in finance, accounting, or investment management.~~ Four members shall be appointed by the speaker of the house of representatives and the president of the senate as follows: the speaker of the house of representatives shall appoint one member of the house from each political party and the president of the senate shall appoint one member of the senate from each political party. The chancellor or the chancellor's designee shall be an ex officio voting member.

Terms of office for gubernatorial appointees shall be staggered four-year terms. Legislative members shall serve two-year terms, provided that legislative members may continue to serve on the board only if they remain members of the general assembly. Any vacancy on the board shall be filled in the same manner as the original appointment, except that any person appointed to fill a vacancy shall be appointed to the remainder of the unexpired term. Any member is eligible for reappointment.

(b) Any member may be removed by the appointing authority for misfeasance, malfeasance, or willful neglect of duty or for other cause after notice and a public hearing, unless the notice and hearing are waived in writing by the member. Members shall serve without compensation but shall receive their reasonable and necessary expenses incurred in the conduct of the board's business.

(c) The speaker of the house of representatives and the president of the senate shall each designate a member of the board to serve as co-chairpersons. The six gubernatorial appointees and the chancellor or the chancellor's designee shall serve as the executive committee of the board, and shall elect an executive chairperson from among the executive committee members. The board and the executive committee may elect such other officers as determined by the board or the executive committee respectively. The authority shall meet at least annually at the call of either co-chairperson and at such other times as either co-chairperson or the board determines necessary. In the absence of both co-chairpersons, the executive chairperson shall serve as the presiding officer of the board. The executive committee shall meet at the call of the executive chairperson or as the executive committee determines necessary. The board may delegate to the executive committee such duties and responsibilities as the board determines appropriate, except that the board may not delegate to the executive committee the final designation of bonds as college savings bonds or providing of advice concerning and consent to the employment of an executive director of the Ohio tuition trust authority. Upon such delegation, the executive committee shall have the authority to act pursuant to such delegation without further approval or action by the board. A majority of the board shall constitute a quorum of the board, and the affirmative vote of a majority of the members present shall be necessary for any action taken by the board. A majority of the executive committee shall constitute a quorum of the executive committee, and the affirmative vote of a majority of the members present shall be necessary for any action taken by the executive committee. No vacancy in the membership of the board or the executive committee shall impair the rights of a quorum to exercise all rights and perform all duties of the board or the executive committee respectively.

(2) The Ohio tuition trust authority investment board solely shall perform the duties and responsibilities specified in division (B)(3) of this section and in all of the following:

(a) Section 3334.04 of the Revised Code, except for administration responsibilities that include, but are not limited to, marketing, promoting, and advertising;

(b) Division (A)(11) of section 3334.08 of the Revised Code to provide advice and consent to the Ohio tuition trust authority on the hiring of the executive director, provided that the executive

director shall not be hired unless a majority of the board votes in favor of the hiring;

(c) Divisions (A) to (E), (G)(1), (K), (L), and (M) of section 3334.11 of the Revised Code, except that the board shall consult with the chancellor prior to any change in the order of expenditures under division (B) of that section, prior to entering into a contract under division (E) of that section, or prior to establishing an entity authorized under division (K)(2) of that section;

(d) Section 3334.12 of the Revised Code;

(e) Sections 3334.18 to 3334.21 of the Revised Code concerning investment and fiduciary duties that are required for the variable college savings program. In addition, prior to any change in the order of expenditures under division (F) of section 3334.19 of the Revised Code, the board shall consult with the chancellor.

(3) Subject to the advice and consent of the chancellor, the Ohio tuition trust authority investment board may remove at any time the executive director of the Ohio tuition trust authority hired under division (A)(11) of section 3334.08 of the Revised Code.

Sec. 3334.08. (A) Subject to division (B) of this section, in addition to any other powers conferred by this chapter, the Ohio tuition trust authority may do any of the following:

(1) Impose reasonable residency requirements for beneficiaries of tuition units;

(2) Impose reasonable limits on the number of tuition unit participants;

(3) Impose and collect administrative fees and charges in connection with any transaction under this chapter;

(4) Purchase insurance from insurers licensed to do business in this state providing for coverage against any loss in connection with the authority's property, assets, or activities or to further ensure the value of tuition units;

(5) Indemnify or purchase policies of insurance on behalf of members, officers, and employees of the authority from insurers licensed to do business in this state providing for coverage for any liability incurred in connection with any civil action, demand, or claim against a director, officer, or employee by reason of an act or omission by the director, officer, or employee that was not manifestly outside the scope of the employment or official duties of the director, officer, or employee or with malicious purpose, in bad faith, or in a wanton or reckless manner;

(6) Make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise and discharge of the powers and duties of the authority;

(7) Promote, advertise, and publicize the Ohio college savings program and the variable college savings program;

(8) Adopt rules under section 111.15 of the Revised Code for the implementation of the Ohio college savings program;

(9) Contract, for the provision of all or part of the services necessary for the management and operation of the Ohio college savings program and the variable college savings program, with a bank, trust company, savings and loan association, insurance company, or licensed dealer in securities if the bank, company, association, or dealer is authorized to do business in this state and information about the contract is filed with the controlling board pursuant to division (D)(6) of section 127.16 of the Revised Code; provided, however, that any funds of the Ohio college savings program and the variable college savings program that are not needed for immediate use shall be deposited by the treasurer of state in the same manner provided under Chapter 135. of the Revised Code for public

moneys of the state. All interest earned on those deposits shall be credited to the Ohio college savings program or the variable college savings program, as applicable.

(10) Contract for other services, or for goods, needed by the authority in the conduct of its business, including but not limited to credit card services;

(11) Employ an executive director and other personnel as necessary to carry out its responsibilities under this chapter, and fix the compensation of these persons. All employees of the authority shall be in the unclassified civil service and shall be eligible for membership in the public employees retirement system. In the hiring of the executive director, the Ohio tuition trust authority shall obtain the advice and consent of the Ohio tuition trust investment board created in section 3334.03 of the Revised Code, provided that the executive director shall not be hired unless a majority of the board votes in favor of the hiring. In addition, the board may remove the executive director at any time subject to the advice and consent of the chancellor of higher education.

(12) Contract with financial consultants, actuaries, auditors, and other consultants as necessary to carry out its responsibilities under this chapter;

(13) Enter into agreements with any agency of the state or its political subdivisions or with private employers under which an employee may agree to have a designated amount deducted in each payroll period from the wages or salary due the employee for the purpose of purchasing tuition units pursuant to a tuition payment contract or making contributions pursuant to a variable college savings program contract;

(14) Enter into an agreement with the treasurer of state under which the treasurer of state will receive, and credit to the Ohio tuition trust fund or variable college savings program fund, from any bank or savings and loan association authorized to do business in this state, amounts that a depositor of the bank or association authorizes the bank or association to withdraw periodically from the depositor's account for the purpose of purchasing tuition units pursuant to a tuition payment contract or making contributions pursuant to a variable college savings program contract;

(15) Solicit and accept gifts, grants, and loans from any person or governmental agency and participate in any governmental program;

(16) Impose limits on the number of units which may be purchased on behalf of or assigned or awarded to any beneficiary and on the total amount of contributions that may be made on behalf of a beneficiary;

(17) Impose restrictions on the substitution of another individual for the original beneficiary under the Ohio college savings program;

(18) Impose a limit on the age of a beneficiary, above which tuition units may not be purchased on behalf of that beneficiary;

(19) Enter into a cooperative agreement with the treasurer of state to provide for the direct disbursement of payments under tuition payment or variable college savings program contracts;

(20) Determine the other higher education expenses for which tuition units or contributions may be used;

(21) Terminate any tuition payment or variable college savings program contract if no purchases or contributions are made for a period of three years or more and there are fewer than a total of five tuition units or less than a dollar amount set by rule on account, provided that notice of a possible termination shall be provided in advance, explaining any options to prevent termination, and

a reasonable amount of time shall be provided within which to act to prevent a termination;

(22) Maintain a separate account for each tuition payment or variable college savings program contract;

(23) Perform all acts necessary and proper to carry out the duties and responsibilities of the authority pursuant to this chapter.

(B) The authority shall adopt rules under section 111.15 of the Revised Code for the implementation and administration of the variable college savings program. The rules shall provide taxpayers with the maximum tax advantages and flexibility consistent with section 529 of the Internal Revenue Code and regulations adopted thereunder with regard to disposition of contributions and earnings, designation of beneficiaries, and rollover of account assets to other programs.

(C) Except as otherwise specified in this chapter, the provisions of Chapters 123. and 4117. of the Revised Code shall not apply to the authority and Chapter 125. of the Revised Code shall not apply to contracts approved under the powers of the Ohio tuition trust authority investment board under section 3334.03 of the Revised Code.

Sec. 3701.344. (A) As used in this section and sections 3701.345,~~3701.346~~, and 3701.347 of the Revised Code, "private water system" means any water system for the provision of water for human consumption, if the system has fewer than fifteen service connections and does not regularly serve an average of at least twenty-five individuals daily at least sixty days out of the year. "Private water system" includes any well, spring, cistern, pond, hauled water, or recycled water and any equipment for the collection, transportation, filtration, disinfection, treatment, or storage of such water extending from and including the source of the water to the point of discharge from any pressure tank or other storage vessel; to the point of discharge from the water pump where no pressure tank or other storage vessel is present; or, in the case of multiple service connections serving more than one dwelling, to the point of discharge from each service connection. "Private water system" does not include the water service line extending from the point of discharge to a structure.

(B) Notwithstanding section 3701.347 of the Revised Code and subject to division (C) of this section, rules adopted by the director of health regarding private water systems shall provide for the following:

(1) Except as otherwise provided in this division, boards of health of city or general health districts shall be given the exclusive power to establish fees in accordance with section 3709.09 of the Revised Code for administering and enforcing the rules. The fees shall establish a different rate for administering and enforcing the rules relative to private water systems serving single-family dwelling houses and nonsingle-family dwelling houses. Except for an amount established by the director, pursuant to division (B)(5) of this section, for each new private water system installation, no portion of any fee for administering and enforcing the rules shall be returned to the department of health. If the director of health determines that a board of health of a city or general health district is unable to administer and enforce a private water system program in the district, the director shall administer and enforce such a program in the district and establish fees for such administration and enforcement.

(2) Boards of health of city or general health districts shall be given the exclusive power to determine the number of inspections necessary for determining the safe drinking characteristics of a private water system.

(3) Private water systems contractors, as a condition of doing business in this state, shall annually register with, and comply with surety bonding requirements of, the department of health. No such contractor shall be permitted to register if the contractor fails to comply with all applicable rules adopted by the director and the board of health of the city or general health district. The annual registration fee for private water systems contractors shall be sixty-five dollars. The director, by rule adopted in accordance with Chapter 119. of the Revised Code, may increase the annual registration fee.

(4) Subject to rules adopted by the director, boards of health of city or general health districts shall have the option of determining whether bacteriological examinations shall be performed at approved laboratories of the state or at approved private laboratories.

(5) The director may establish fees for each new private water system installation, which shall be collected by the appropriate board of health and transmitted to the director pursuant to section 3709.092 of the Revised Code.

(6) All fees received by the director of health under divisions (B)(1), (3), and (5) of this section shall be deposited in the state treasury to the credit of the general operations fund created in section 3701.83 of the Revised Code for use in the administration and enforcement of sections 3701.344 to 3701.347 of the Revised Code and the rules pertaining to private water systems adopted under those sections.

(7) The director shall define "well," "spring," "cistern," "pond," "hailed water," and "recycled water" for purposes of this section and the rules adopted under it.

(C) To the extent that rules adopted under division (B) of this section require health districts to follow specific procedures or use prescribed forms, no such procedure or form shall be implemented until it is approved by majority vote of an approval board of health commissioners, hereby created. Members of the board shall be the officers of the association of Ohio health commissioners, or any successor organization, and membership on the board shall be coterminous with holding an office of the association. No health district is required to follow a procedure or use a form required by a rule adopted under division (B) of this section without the approval of the board.

(D) A board of health shall collect well log filing fees on behalf of the division of water resources in the department of natural resources in accordance with section 1521.05 of the Revised Code and rules adopted under it. The fees shall be submitted to the division quarterly as provided in those rules.

(E) A water system that will be used in agriculture and that does not provide water for human consumption shall not be required to obtain a permit or license issued under, pay any fees assessed or levied under, or comply with any rule adopted under sections 3701.34 to 3701.347 of the Revised Code.

Sec. 3701.77. (A) The department of health may establish, promote, and maintain a lupus education and awareness program with an emphasis on at-risk communities to raise public awareness, educate consumers, and educate and train health professionals, human services providers, and other audiences.

(B) The department, in creating and implementing the program, may do all of the following:

(1) Provide sufficient staff and appropriate training to implement the program;

(2) Establish a grant program to support nonprofit voluntary health organizations with

expertise in lupus to increase public awareness and enhance health professional education and understanding of the symptoms and consequences of lupus and the populations most at risk;

~~(3) Establish an intergovernmental council and advisory panel to oversee the implementation of the program;~~

~~(4) Identify the appropriate entities to carry out the program;~~

~~(5) (4) Base the program on the most current scientific information and findings;~~

~~(6) (5) Work with government entities, community and business leaders, community organizations, health and human services providers, and national, state, and local lupus organizations, such as the lupus foundation of America, inc., to coordinate efforts to maximize state resources in the areas of lupus education and awareness;~~

~~(7) (6) Identify and use other successful lupus education and awareness programs and procure related materials and services from organizations with appropriate expertise and knowledge of lupus.~~

(C) The department may accept gifts, grants, and donations from the federal government, foundations, organizations, medical schools, and other entities for fulfilling the obligations of the program.

(D) The department may seek any federal waiver that may be necessary to maximize funds from the federal government to implement the program.

Sec. 3702.71. As used in sections 3702.71 to ~~3702.81~~ 3702.79 of the Revised Code:

(A) "Full-time practice" means working a minimum of forty hours per week for a minimum of forty-five weeks each service year.

(B) "Part-time practice" means working a minimum of twenty and a maximum of thirty-nine hours per week for a minimum of forty-five weeks per service year.

(C) "Primary care physician" means an individual who is authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery and is board certified or board eligible in a primary care specialty.

(D) "Primary care service" means professional comprehensive personal health services, which may include health education and disease prevention, treatment of uncomplicated health problems, diagnosis of chronic health problems, overall management of health care services for an individual or a family, and the services of a psychiatrist. "Primary care service" also includes providing the initial contact for health care services, making referrals for secondary and tertiary care and for continuity of health care services, and teaching activities to the extent specified in a contract entered into pursuant to section 3702.74 of the Revised Code.

(E) "Primary care specialty" means general internal medicine, pediatrics, adolescent medicine, obstetrics and gynecology, psychiatry, child and adolescent psychiatry, geriatric psychiatry, combined internal medicine and pediatrics, geriatrics, or family practice.

(F) "Teaching activities" means providing clinical education to students and residents regarding the primary care physician's normal course of practice and expertise at the service site specified in the contract described in section 3702.74 of the Revised Code.

Sec. 3702.79. The director of health, in accordance with Chapter 119. of the Revised Code, shall adopt rules as necessary to implement and administer sections 3702.71 to 3702.78 of the Revised Code. ~~In preparing rules, the director shall consult with the physician loan repayment advisory board.~~

Sec. 3705.35. Not later than one hundred eighty days after ~~the effective date of this section October 5, 2000,~~ the director of health shall, ~~in consultation with the council created under section 3705.34 of the Revised Code,~~ adopt rules in accordance with Chapter 119. of the Revised Code to do all of the following:

- (A) Implement the birth defects information system;
- (B) Specify the types of congenital anomalies and abnormal conditions of newborns to be reported to the system under section 3705.30 of the Revised Code;
- (C) Establish reporting requirements for information concerning diagnosed congenital anomalies and abnormal conditions of newborns;
- (D) Establish standards that must be met by persons or government entities that seek access to the system;
- (E) Establish a form for use by parents or legal guardians who seek to have information regarding their children removed from the system and a method of distributing the form to local health departments, as defined in section 3705.33 of the Revised Code, and to physicians. The method of distribution must include making the form available on the internet.

Sec. 3705.36. Three years after the date a birth defects information system is implemented pursuant to section 3705.30 of the Revised Code, and annually thereafter, the department of health shall prepare a report regarding the birth defects information system. ~~The council created under section 3705.34 of the Revised Code shall, not later than two years after the date a birth defects information system is implemented, specify the information the department is to include in each report.~~ The department shall file the report with the governor, the president and minority leader of the senate, the speaker and minority leader of the house of representatives, the departments of developmental disabilities, education, and job and family services, the commission on minority health, and the news media.

Sec. 3707.521. (A) As used in this section:

- (1) ~~"Chiropractor" means an individual licensed under Chapter 4734. of the Revised Code.~~
- (2) ~~"License," "licensee," and "licensing agency" have the same meanings as in section 4745.01 of the Revised Code.~~
- (3) ~~"Licensed health care professional" means an individual, other than a physician, who is authorized under Title XLVII of the Revised Code to practice a health care profession.~~
- (4) ~~"Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.~~
- (5) ~~"Youth sports organization" has the same meaning as in section 3707.51 of the Revised Code.~~

(B)(1) ~~The director of health shall establish a committee regarding concussions and head injuries sustained by athletes while participating in interscholastic athletic events and athletic activities organized by youth sports organizations and the provisions of sections 3313.539 and 3707.511 of the Revised Code. The department of health shall provide administrative support to the committee.~~

(2) ~~The director shall serve as a member of the committee and shall appoint all of the following as the remaining members, each of whom must have substantial experience in the diagnosis and treatment of concussions and head injuries:~~

- (a) A representative of the state medical board;
- (b) A physician who practices as a neurologist;
- (c) A physician who practices sports medicine;
- (d) A representative of the state chiropractic board;
- (e) A chiropractor who has a background in neurology;
- (f) A chiropractor who practices sports medicine.

(C) ~~Not later than one hundred eighty days after the effective date of this section, the committee shall develop and publish guidelines addressing all of the following with regard to athletes exhibiting signs, symptoms, or behaviors consistent with having sustained a concussion or head injury while participating in an interscholastic athletic event or an athletic activity organized by a youth sports organization:~~

- (1) ~~The diagnosis and treatment of concussions and head injuries;~~
- (2) ~~The conditions under which an athlete may be granted clearance to return to practice or competition under section 3313.539 or 3707.511 of the Revised Code;~~
- (3) ~~The minimum education requirements necessary to qualify a physician or licensed health care professional to assess and clear an athlete for return to practice or competition under section 3313.539 or 3707.511 of the Revised Code.~~

(D) ~~In developing guidelines under division (C) of this section, the committee shall consider nationally recognized standards for the treatment and care of concussions and head injuries and the scope of practice of any licensed health care professional as it relates to qualifications to assess and clear an athlete for return to practice or competition under section 3313.539 or 3707.511 of the Revised Code. The director shall solicit input from all of the following:~~

- (1) ~~A physician certified by the American board of emergency medicine or American osteopathic board of emergency medicine who actively practices emergency medicine and is actively involved in emergency medical services;~~
- (2) ~~A physician certified in pediatric emergency medicine by the American board of pediatrics, American osteopathic board of pediatrics, or American board of emergency medicine who actively practices pediatric emergency medicine and is actively involved in emergency medical services;~~
- (3) ~~A physician certified by the American board of neurological surgery or American osteopathic board of surgery who actively practices neurosurgery;~~
- (4) ~~A physician who actively practices in the field of sports medicine;~~
- (5) ~~An athletic trainer licensed under Chapter 4755. of the Revised Code;~~
- (6) ~~A physical therapist licensed under Chapter 4755. of the Revised Code;~~
- (7) ~~A chiropractor;~~
- (8) ~~A registered nurse licensed under Chapter 4723. of the Revised Code who actively practices emergency nursing and is actively involved in emergency medical services;~~
- (9) ~~A representative of a youth sports organization;~~
- (10) ~~A representative of a school district board of education or governing authority of a chartered or nonchartered nonpublic school;~~
- (11) ~~Any other individual selected by the committee who has interests that the committee considers relevant to its duties.~~

~~(E)~~ If a licensing agency responsible for the licensing of physicians or licensed health care professionals seeks to have its licensees authorized to assess and clear athletes for return to practice or competition under section 3313.539 or 3707.511 of the Revised Code, the licensing agency shall adopt rules establishing standards that are equal to or stronger than the guidelines developed by the committee established by the director of health under division (C) a previous version of this section, and which met during 2014 and 2015.

The licensing agency may adopt rules establishing continuing education requirements for its licensees who assess and clear athletes for return to practice or competition under section 3313.539 or 3707.511 of the Revised Code.

Any rules adopted under this division shall be adopted in accordance with Chapter 119. of the Revised Code.

Sec. 3711.20. (A) As used in this section:

(1) "Board-certified" means that a physician has been certified in an area of practice by a medical specialty board of the American medical association or the American osteopathic association.

~~(2) "Level I," "level II," or "level III" means the service-level designation applicable to the portion of a hospital in which obstetric care or newborn care is provided, as those levels are reported by the hospital to the department of health pursuant to section 3701.07~~ Registered nurse" has the meaning defined in section 4723.01 of the Revised Code.

(B) There is hereby created the maternity and newborn advisory council within the department of health. The governor, with the advice and consent of the senate, shall appoint the following members:

- (1) Two board-certified obstetricians;
- (2) A board-certified pediatrician;
- ~~(3) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level I obstetric care service;~~
- ~~(4) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level I newborn care service;~~
- ~~(5) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level II obstetric care service;~~
- ~~(6) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level II newborn care service;~~
- ~~(7) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level III obstetric care service;~~
- ~~(8) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level III newborn care service~~ Three registered nurses who provide newborn care;
- ~~(9)~~ (4) Three registered nurses who provide obstetric care;
- ~~(10)~~ (5) A licensed dietitian with knowledge of newborn nutrition;
- ~~(11)~~ (6) A licensed social worker with knowledge of newborn psychosocial and family support services;
- ~~(12)~~ (7) A lactation consultant certified by the international board of lactation consultant

examiners;

~~(12)~~(8) An individual to represent the public;

~~(13)~~(9) A board-certified perinatologist;

~~(14)~~(10) A board-certified neonatologist;

~~(15)~~(11) A certified nurse-midwife, certified nurse practitioner, clinical nurse specialist, or certified registered nurse anesthetist;

~~(16)~~(12) A board-certified anesthesiologist;

~~(17)~~(13) A board-certified family practice physician who delivers children or provides newborn care.

(C) The governor shall make the initial appointments to the council not later than sixty days after ~~the effective date of this section~~ September 1, 2008. Of the initial appointments, six shall be for a term of three years, six for a term of four years, and six for a term of five years. Thereafter, terms of office shall be five years with each term ending on the same day of the same month as the term it succeeds. Each member shall hold office from the date of the member's appointment until the end of the term for which the member was appointed. Members may be reappointed. Vacancies shall be filled in the manner provided for original appointment. Any member appointed to fill a vacancy prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of that term. A member shall continue in office subsequent to the expiration of the member's term or until a period of sixty days has elapsed, whichever occurs first.

(D) The council shall hold four meetings in the first year after the initial appointments to the council are made under division (B) of this section. Thereafter, the council shall hold two meetings each year. Additional meetings may be held at the call of the chairperson or the director of health.

The chairperson shall be selected annually by members of the council. Following each meeting, the chairperson may submit a report to the director summarizing the activities, discussion, and recommendations of the council. Eight voting members of the council constitute a quorum.

(E) Members of the council shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

(F) The department of health shall provide the council the administrative support necessary to execute its duties.

Sec. 3727.39. (A) The duties of the director of health under this section are subject to section 3727.391 of the Revised Code.

(B) Not later than ninety days after a hospital submits information to the director of health under section 3727.33 or 3727.34 of the Revised Code, the director shall make the submitted information available on an internet web site. In making the information available on a web site, the director shall do all of the following:

(1) Make the web site available to the public without charge;

(2) Provide for the web site to be organized in a manner that enables the public to use it easily;

(3) Exclude from the web site any information that compromises patient privacy;

(4) Include links to hospital internet web sites to enable the public to obtain additional information about hospitals, including hospital programs designed to enhance quality and safety;

(5) Allow other internet web sites to link to the web site for purposes of increasing the web

site's availability and encouraging ongoing improvement;

(6) Update the web site as needed to include new information and to correct errors.

(C) The information submitted under section 3727.33 of the Revised Code shall be presented on the web site in a manner that enables the public to compare the performance of hospitals in meeting the measures for hospital inpatient and outpatient services specified in rules adopted under section 3727.41 of the Revised Code. In making the information available on a web site, the director shall do all of the following:

(1) Enable the public to compare the performance of hospitals in meeting the measures for specific diagnoses and procedures;

(2) Enable the public to make the comparisons by different geographic regions, such as by county or zip code;

(3) ~~Based on the report issued to the director pursuant to division (A)(2) of section 3727.32 of the Revised Code, include~~ Include a report of each hospital's overall performance in meeting the measures;

(4) To the extent possible, include state and federal benchmarks for the measures;

(5) Include contextual information and explanations that the public can easily understand, including contextual information that explains why differences in the performance of hospitals in meeting the measures may be misleading;

(6) ~~Exclude from the web site a hospital's performance in meeting a particular measure if the hospital's caseload for the diagnosis or procedure that the measure concerns is insufficient, as determined in accordance with the guidelines submitted to the director under division (A)(3) of section 3727.32 of the Revised Code,~~ to make the hospital's performance for the diagnosis or procedure a reliable indicator of its ability to treat the diagnosis or provide the procedure in a quality manner;

(7) Clearly identify the sources of information used in the web site and explain both of the following:

(a) The analytical methods used in determining the performance of hospitals in meeting the measures;

(b) The risk adjustment methodologies that hospitals use to adjust information submitted to the director pursuant to division (C) of section 3727.33 of the Revised Code.

Sec. 3727.41. (A)(1) The director of health shall adopt rules governing hospitals in their submission of information to the director under sections 3727.33 and 3727.34 of the Revised Code. The rules shall be adopted in accordance with Chapter 119. of the Revised Code.

(2) Rules adopted by the director under division (A)(1) of this section shall not require either of the following:

(a) A hospital to submit information regarding a performance, quality, or service measure for which the hospital does not provide the service;

(b) A children's hospital to report a performance, quality, or service measure for patients eighteen years of age or older.

(B)(1) The rules for submission of information under section 3727.33 of the Revised Code shall include rules specifying the inpatient and outpatient service measures to be used by hospitals in submitting the information. The rules ~~may include any of the measures recommended by the group of~~

~~experts convened under section 3727.32 of the Revised Code and~~ shall include measures from the following:

(a) Hospital quality measures publicly reported by the centers for medicare and medicaid services;

(b) Hospital quality measures publicly reported by the joint commission;

(c) Measures that examine volume of cases, adjusted length of stay, complications, infections, or mortality rates and are developed by the agency for health care research and quality;

(d) Measures included in the national voluntary consensus standards for hospital care endorsed by the national quality forum.

(2) In adopting rules specifying the measures to be used by hospitals in submitting the information, the director shall consider both of the following:

(a) Whether hospitals have a sufficient caseload to make a particular measure a reliable indicator of their ability to treat a diagnosis or perform a procedure in a quality manner;

(b) Whether there are any excessive administrative or financial implications associated with the reporting of information by hospitals regarding their performance in meeting a particular measure.

Sec. 3745.015. There is hereby created in the state treasury the environmental protection fund consisting of money credited to the fund under division (A)(3) of section 3734.57 of the Revised Code. The environmental protection agency shall use money in the fund to pay the agency's costs associated with administering and enforcing, or otherwise conducting activities under, this chapter and Chapters 3704., 3734., 3746., 3747., 3748., 3750., 3751., 3752., 3753., 5709., 6101., 6103., 6105., 6109., 6111., 6112., 6113., 6115., 6117., and 6119. and ~~sections section 122.65 and 1521.19~~ of the Revised Code, including providing compliance assistance to small businesses.

Sec. 3772.02. (A) There is hereby created the Ohio casino control commission described in Section 6(C)~~(1)~~(4) of Article XV, Ohio Constitution.

(B) The commission shall consist of seven members appointed within one month of September 10, 2010, by the governor with the advice and consent of the senate. The governor shall forward all appointments to the senate within twenty-four hours.

(1) Each commission member is eligible for reappointment at the discretion of the governor. No commission member shall be appointed for more than three terms in total.

(2) Each commission member shall be a resident of Ohio.

(3) At least one commission member shall be experienced in law enforcement and criminal investigation.

(4) At least one commission member shall be a certified public accountant experienced in accounting and auditing.

(5) At least one commission member shall be an attorney admitted to the practice of law in Ohio.

(6) At least one commission member shall be a resident of a county where one of the casino facilities is located.

(7) Not more than four commission members shall be of the same political party.

(8) No commission member shall have any affiliation with an Ohio casino operator or facility.

(C) Commission members shall serve four-year terms, except that when the governor makes initial appointments to the commission under this chapter, the governor shall appoint three members to serve four-year terms with not more than two such members from the same political party, two members to serve three-year terms with such members not being from the same political party, and two members to serve two-year terms with such members not being from the same political party.

(D) Each commission member shall hold office from the date of appointment until the end of the term for which the member was appointed. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of the unexpired term. Any member shall continue in office after the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. A vacancy in the commission membership shall be filled in the same manner as the original appointment.

(E) The governor shall select one member to serve as chairperson and the commission members shall select one member from a different party than the chairperson to serve as vice-chairperson. The governor may remove and replace the chairperson at any time. No such member shall serve as chairperson for more than six successive years. The vice-chairperson shall assume the duties of the chairperson in the absence of the chairperson. The chairperson and vice-chairperson shall perform but shall not be limited to additional duties as are prescribed by commission rule.

(F) A commission member is not required to devote the member's full time to membership on the commission. ~~Beginning on the effective date of this amendment September 29, 2015,~~ each member of the commission shall receive compensation of fifty thousand dollars per year. Beginning July 1, 2016, each member of the commission shall receive compensation of forty thousand dollars per year. Beginning July 1, 2017, each member of the commission shall receive compensation of thirty thousand dollars per year. Each member shall receive the member's actual and necessary expenses incurred in the discharge of the member's official duties.

(G) The governor shall not appoint an individual to the commission, and an individual shall not serve on the commission, if the individual has been convicted of or pleaded guilty or no contest to a disqualifying offense as defined in section 3772.07 of the Revised Code. Members coming under indictment or bill of information of a disqualifying offense shall resign from the commission immediately upon indictment.

(H) At least five commission members shall be present for the commission to meet. The concurrence of four members is necessary for the commission to take any action. All members shall vote on the adoption of rules, and the approval of, and the suspension or revocation of, the licenses of casino operators or management companies, unless a member has a written leave of absence filed with and approved by the chairperson.

(I) A commission member may be removed or suspended from office in accordance with section 3.04 of the Revised Code.

(J) Each commission member, before entering upon the discharge of the member's official duties, shall make an oath to uphold the Ohio Constitution and laws of the state of Ohio and shall give a bond, payable by the commission, to the treasurer of state, in the sum of ten thousand dollars with sufficient sureties to be approved by the treasurer of state, which bond shall be filed with the secretary of state.

(K) The commission shall hold one regular meeting each month and shall convene other meetings at the request of the chairperson or a majority of the members. A member who fails to attend at least three-fifths of the regular and special meetings of the commission during any two-year period forfeits membership on the commission. All meetings of the commission shall be open meetings under section 121.22 of the Revised Code except as otherwise allowed by law.

(L) Pursuant to divisions (A)(3) and (9) of section 101.82 of the Revised Code, the commission is exempt from the requirements of sections 101.82 to 101.87 of the Revised Code.

Sec. 3905.04. (A) Except as otherwise provided in this section or in section 3905.041 of the Revised Code, a resident individual applying for an insurance agent license for any of the lines of authority described in division (B) of this section shall take and pass a written examination prior to application for licensure. The examination shall test the knowledge of the individual with respect to the lines of authority for which application will be made, the duties and responsibilities of an insurance agent, and the insurance laws of this state. Before admission to the examination, each individual shall pay the nonrefundable examination fee.

(B) The examination described in division (A) of this section shall be required for the following lines of authority:

(1) Any of the lines of authority set forth in divisions (B)(1) to (5) of section 3905.06 of the Revised Code;

(2) Title insurance;

(3) Surety bail bonds as provided in sections 3905.83 to 3905.95 of the Revised Code;

(4) Any other line of authority designated by the superintendent of insurance.

(C) An individual shall not be permitted to take the examination described in division (A) of this section unless one of the following applies:

(1) The individual has earned a bachelor's or associate's degree in insurance from an accredited institution.

(2) The individual has earned a professional designation approved by the superintendent.

(3) The individual has completed, for each line of authority for which the individual has applied, twenty hours of study in a program of insurance education approved by the superintendent, ~~in consultation with the insurance agent education advisory council,~~ under criteria established by the superintendent. Division (C) of this section does not apply with respect to title insurance or any other line of authority designated by the superintendent.

(D) An individual who fails to appear for an examination as scheduled, or fails to pass an examination, may reapply for the examination if the individual pays the required fee and submits any necessary forms prior to being rescheduled for the examination.

(E)(1) The superintendent may, in accordance with Chapter 119. of the Revised Code, adopt any rule necessary for the implementation of this section.

(2) The superintendent may make any necessary arrangements, including contracting with an outside testing service, for the administration of the examinations and the collection of the fees required by this section.

Sec. 3905.481. Each individual who is issued a resident insurance agent license shall complete at least twenty-four hours of continuing education for each license renewal period. The continuing education shall be offered in a course or program of study approved by the superintendent

of insurance ~~in consultation with the insurance agent education advisory council~~ and shall include at least three hours of approved ethics training.

This section does not apply to any person or class of persons, as determined by the superintendent ~~in consultation with the council~~.

Sec. 3905.484. (A) The superintendent of insurance, ~~in consultation with the insurance agent education advisory council~~, shall establish criteria for any course or program of study that is offered in this state under section 3905.04 or sections 3905.481 to 3905.486 of the Revised Code.

(B) No course or program of study shall be offered in this state under section 3905.04 or sections 3905.481 to 3905.486 of the Revised Code unless it is approved by the superintendent ~~in consultation with the council~~.

(C) A course or program of study offered in this state under section 3905.04 or sections 3905.481 to 3905.486 of the Revised Code shall be developed or sponsored only by one of the following:

- (1) An insurance company admitted to transact business in this state;
- (2) An accredited college or university;
- (3) An insurance trade association;
- (4) An independent program of instruction that is approved by the superintendent ~~in consultation with the council~~;
- (5) Any institution as defined in section 1713.01 of the Revised Code that holds a certificate of authorization issued by the Ohio board of regents under Chapter 1713. of the Revised Code or is exempt under that chapter from the requirements for a certificate of authorization.

Sec. 3905.485. (A) The superintendent of insurance, ~~in consultation with the insurance agent education advisory council~~, shall establish a schedule of fees to be paid to the superintendent by the sponsor of a course or program of study approved in accordance with division (B) of section 3905.484 of the Revised Code. The sponsor shall pay the required fee to the superintendent in accordance with rules adopted by the superintendent.

(B) All fees collected by the superintendent under division (A) of this section shall be credited to the department of insurance operating fund created in section 3901.021 of the Revised Code.

Sec. 3905.486. The superintendent of insurance shall adopt rules in accordance with Chapter 119. of the Revised Code to carry out the purposes of sections 3905.04 and 3905.481 to 3905.486 of the Revised Code. ~~In adopting any rules, the superintendent shall consider any recommendations made by the insurance agent education advisory council.~~

Sec. 3905.88. (A) Each individual who is issued a license as a resident surety bail bond agent shall complete at least seven hours of continuing education in each license renewal period. The continuing education shall be offered in a course or program of study related to the bail bond business that is approved by the superintendent of insurance ~~in consultation with the insurance agent education advisory council~~ and shall include at least one hour of approved ethics training.

(B) The superintendent shall not renew the license of any surety bail bond agent who fails to meet the requirements of division (A) of this section or whose application for renewal does not meet the requirements of section 3905.85 of the Revised Code.

Sec. 3929.51. (A) The Ohio mine subsidence insurance underwriting association is hereby

created, consisting of all insurers authorized to write and engaged in writing within the state, on a direct basis, basic property insurance or any component thereof in multi-peril policies, to operate in accordance with the plan of operation adopted pursuant to section 3929.53 of the Revised Code. Every such insurer shall be a member of the association and shall remain a member as a condition of its authority to write such insurance in this state.

(B) The association, pursuant to sections 3929.50 to 3929.61 of the Revised Code, and any plan of operation thereunder with respect to mine subsidence insurance, may assume and cede reinsurance on insurable risks written by its members.

(C) For the purpose of governing the mine subsidence insurance underwriting association, there is hereby created a mine subsidence insurance governing board consisting of the director of natural resources or the director's designee, as chairperson, the treasurer of state or the treasurer of state's designee, ~~the superintendent of insurance or the superintendent's designee,~~ and one representative from member companies. The representative from member companies shall be an Ohio domiciled member, elected every three years by members of the association. All actions of the mine subsidence insurance underwriting association shall be approved by the governing board. The board may employ, compensate, and prescribe the duties and powers of such employees and consultants as are necessary to carry out sections 3929.50 to 3929.61 of the Revised Code, and is authorized to enter into a contract with the Ohio fair plan underwriting association for administrative and claims adjusting services.

Sec. 4121.61. (A) As used in sections 4121.61 to ~~4121.70~~4121.69 of the Revised Code, "self-insuring employer" has the same meaning as in section 4123.01 of the Revised Code.

(B) The administrator of workers' compensation, with the advice and consent of the bureau of workers' compensation board of directors, shall adopt rules, take measures, and make expenditures as it deems necessary to aid claimants who have sustained compensable injuries or incurred compensable occupational diseases pursuant to Chapter 4123., 4127., or 4131. of the Revised Code to return to work or to assist in lessening or removing any resulting handicap.

Sec. 4503.515. (A) The owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the registrar of motor vehicles may apply to the registrar for the registration of the vehicle and issuance of "Ohio geology" license plates. The application may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance by the applicant with divisions (B) and (C) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of "Ohio geology" license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on the license plates, "Ohio geology" license plates shall bear an appropriate logo and words selected by the ~~Ohio geology advisory council~~director of natural resources and approved by the registrar. "Ohio geology" license plates shall display county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

(B) "Ohio geology" license plates and a validation sticker, or validation sticker alone, shall be issued upon receipt of an application for registration of a motor vehicle under this section; payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable

motor vehicle license tax levied under Chapter 4504. of the Revised Code, any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, an additional fee of ten dollars, and a contribution as provided in division (C) of this section; and compliance with all other applicable laws relating to the registration of motor vehicles.

(C) For each application for registration and registration renewal notice the registrar receives under this section, the registrar shall collect a contribution of fifteen dollars. The registrar shall transmit this contribution to the treasurer of state for deposit into the state treasury to the credit of the "Ohio geology" license plate fund created by section 1505.13 of the Revised Code.

The registrar shall transmit the additional fee of ten dollars, the purpose of which is to compensate the bureau of motor vehicles for the additional services required in the issuing of "Ohio geology" license plates, to the treasurer of state for deposit into the state treasury to the credit of the state bureau of motor vehicles fund created by section 4501.25 of the Revised Code.

Sec. 4740.14. (A) There is hereby created within the department of commerce the residential construction advisory committee consisting of nine persons the director of commerce appoints. The advisory committee shall be made up of the following members:

(1) Three shall be general contractors who have recognized ability and experience in the construction of residential buildings.

(2) Two shall be building officials who have experience administering and enforcing a residential building code.

(3) One, chosen from a list of three names the Ohio fire chief's association submits, shall be from the fire service certified as a fire safety inspector who has at least ten years of experience enforcing fire or building codes.

(4) One shall be a residential contractor who has recognized ability and experience in the remodeling and construction of residential buildings.

(5) One shall be an architect registered pursuant to Chapter 4703. of the Revised Code, with recognized ability and experience in the architecture of residential buildings.

(6) One, chosen from a list of three names the Ohio municipal league submits to the director, shall be a mayor of a municipal corporation in which the Ohio residential building code is being enforced in the municipal corporation by a certified building department.

(B) Terms of office shall be for three years, with each term ending on the date three years after the date of appointment. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Vacancies shall be filled in the manner provided for initial appointments. Any member appointed to fill a vacancy in an unexpired term shall hold office for the remainder of that term.

(C) The advisory committee shall do all of the following:

(1) Recommend to the board of building standards a building code for residential buildings. The committee shall recommend a code that it may model on a residential building code a national model code organization issues, with adaptations necessary to implement the code in this state. If the board of building standards decides not to adopt a code the committee recommends, the committee shall revise the code and resubmit it until the board adopts a code the committee recommends as the state residential building code;

(2) Advise the board regarding the establishment of standards for certification of building

officials who enforce the state residential building code;

(3) Assist the board in providing information and guidance to residential contractors and building officials who enforce the state residential building code;

(4) Advise the board regarding the interpretation of the state residential building code;

(5) Provide other assistance the committee considers necessary;

(6) Provide the board with a written report of the committee's findings for each consideration required by division (D) of this section.

(D) The committee shall not make its recommendation to the board pursuant to divisions (C) (1), (2), and (4) of this section until the advisory committee has considered all of the following:

(1) The impact that the state residential building code may have upon the health, safety, and welfare of the public;

(2) The economic reasonableness of the residential building code;

(3) The technical feasibility of the residential building code;

(4) The financial impact that the residential building code may have on the public's ability to purchase affordable housing.

(E) The advisory committee may provide the board with any rule the committee recommends to update or amend the state residential building code or any rule that the committee recommends to update or amend the state residential building code after receiving a petition described in division (A) (2) of section 3781.12 of the Revised Code.

(F) Members of the advisory committee shall receive no salary for the performance of their duties as members, but shall receive their actual and necessary expenses incurred in the performance of their duties as members of the advisory committee and shall receive a per diem for each day in attendance at an official meeting of the committee, to be paid from the industrial compliance operating fund in the state treasury, using fees collected in connection with residential buildings pursuant to division (F)(2) of section 3781.102 of the Revised Code and deposited in that fund.

(G) The advisory committee is not subject to ~~divisions (A) and (B) of section 101.84~~ sections 101.82 to 101.87 of the Revised Code.

(H) Serving as a member of the residential construction advisory committee does not constitute holding a public office or position of employment under the laws of this state and service on the committee does not constitute grounds for removing a committee member from a public office or position of employment.

Sec. 5903.02. (A) As used in this section, ~~"uniformed";~~

(1) "Uniformed services" and "service in the uniformed services" have the same meanings as in the "Uniformed Services Employment and Reemployment Rights Act of 1994," 108 Stat. 3149, 38 U.S.C.A. 4303.

(2) "Organized militia of another state" means the national guard of any state, territory, or district other than Ohio or any military or naval force recognized under the laws of a state, district, or territory other than Ohio.

(B) Any person whose absence from a position of employment is necessitated by reason of service in the uniformed services ~~or~~ in the Ohio organized militia, or in the organized militia of another state has the same reinstatement and reemployment rights in this state that a person has under the "Uniformed Services Employment and Reemployment Rights Act of 1994." A person who is

denied a reinstatement or reemployment right pursuant to this section has a cause of action for the same remedies as a person has under the "Uniformed Services Employment and Reemployment Rights Act of 1994." The court of common pleas, notwithstanding any sum limitation established by decision of a board of county commissioners pursuant to section 2305.01 of the Revised Code, shall have exclusive original jurisdiction for such actions, unless the defendant is the state, in which case the court of claims shall have exclusive original jurisdiction pursuant to division (C) of this section.

(C) A person who seeks reinstatement or reemployment rights with the state, pursuant to this section, may bring an action in the court of claims pursuant to this section or section 4323 of the "Uniformed Services Employment and Reemployment Rights Act of 1994."

(D) In any action or proceeding to enforce a provision of this section, the court shall require the defendant to pay the court costs if the plaintiff is the prevailing party in the action or proceeding. If the plaintiff is not the prevailing party, the court may use its discretion in allocating court costs among the parties to the action.

(E) In any action or proceeding to enforce a provision of this section the court may award to a plaintiff who prevails in such action or proceeding reasonable attorney's fees, expert witness fees, and other litigation expenses. If the plaintiff does not receive a favorable judgment from the court in that action, the court shall not require the plaintiff to reimburse the state or the defendant for attorney's fees.

(F) The director of administrative services shall adopt rules in accordance with Chapter 119. of the Revised Code for the implementation of this chapter with respect to persons in public service.

(G) A person is not entitled to a remedy in a state action under division (B) or (C) of this section if the person has received a remedy based on the same facts under the "Uniformed Services Employment and Reemployment Rights Act of 1994." If a person has received a remedy in a state action under division (B) or (C) of this section and then receives a remedy based on the same facts under the "Uniformed Services Employment and Reemployment Rights Act of 1994," the person shall reimburse the judgment debtor the value of the federal remedy or the state remedy whichever is less.

Sec. 5911.09. For each armory erected or provided, the adjutant general shall appoint a ~~board of control, to consist of one or more officers~~ officer who shall be an officer of one of the organizations or units quartered therein. ~~Such board or~~ The control ~~officer in control~~ may rent the armory for temporary purposes, subject to regulations prescribed by the adjutant general, and the money derived from such rental shall be paid into the treasury of the armory ~~board of control~~ officer.

Sec. 5911.12. The ~~board of armory control provided for by section 5911.09 of the Revised Code,~~ officer shall make an annual report of the proceedings incident to the location and management of grounds, airfields, armories, and other buildings for military purposes and a detailed account of all receipts and disbursements. The report shall be filed in the office of the adjutant general.

SECTION 2. That existing sections 9.901, 101.82, 101.83, 101.84, 101.85, 101.86, 101.87, 107.12, 109.71, 135.143, 149.301, 149.302, 149.43, 154.01, 154.22, 174.06, 189.10, 505.375, 924.01, 924.04, 924.07, 924.09, 924.24, 924.25, 924.26, 1501.012, 1501.07, 1503.03, 1505.05, 1505.12, 1505.13, 1510.01, 1510.02, 1510.04, 1510.05, 1510.06, 1510.08, 1510.09, 1510.10, 1510.11, 1513.27, 1513.28, 1513.30, 1513.31, 1513.32, 1513.37, 1517.23, 1546.06, 1547.81,

1551.35, 1557.06, 2933.82, 3334.03, 3334.08, 3701.344, 3701.77, 3702.71, 3702.79, 3705.35, 3705.36, 3707.521, 3711.20, 3727.39, 3727.41, 3745.015, 3772.02, 3905.04, 3905.481, 3905.484, 3905.485, 3905.486, 3905.88, 3929.51, 4121.61, 4503.515, 4740.14, 5903.02, 5911.09, and 5911.12 and sections 109.561, 149.303, 193.01, 193.03, 193.05, 193.07, 193.09, 1505.11, 1506.12, 1513.29, 1517.03, 1517.04, 1521.19, 1546.30, 1546.31, 3333.58, 3701.346, 3701.773, 3701.774, 3702.80, 3702.81, 3727.31, 3727.311, 3727.312, 3727.313, 3727.32, 3727.321, 3905.483, and 4121.70 of the Revised Code are hereby repealed.

SECTION 3. The following agencies are retained under division (D) of section 101.83 of the Revised Code and expire at the end of the thirty-first day of December 2020:

Advisory Board to Assist and Advise in the Operation of the Ohio Center for Autism and Low Incidence	R.C. 3323.33
Advisory Boards to EPA for Air Pollution	R.C. 121.13
Advisory Boards to EPA for Water Pollution Control	R.C. 121.13
Advisory Committee on Livestock Exhibitions	R.C. 901.71
Advisory Council's for Wild, Scenic, or Recreational River Area(s)	R.C. 1547.84
Advisory Councils (for any department in order to meet federal regulations)	R.C. 107.18
Advisory Council on Amusement Ride Safety	R.C. 1711.51
Agricultural Commodity Marketing Programs Coordinating Committee	R.C. 924.14
Agricultural Commodity Marketing Programs Operating Committee	R.C. 924.07
AMBER Alert Advisory Committee	R.C. 5502.521
Apprenticeship Council	R.C. 4139.02
Automated Title Processing Board	R.C. 4505.09

Backflow Advisory Board	R.C. 3703.21
Banking Commission	R.C. 1123.01
Board of Directors of the Ohio Health Reinsurance Program	R.C. 3924.08
Board of Governors of the Commercial Insurance Joint Underwriting Association	R.C. 3930.03
Board of Governors of the Medical Liability Underwriting Association	R.C. 3929.64
Board of Voting Machine Examiners	R.C. 3506.05
Brain Injury Advisory Committee	R.C. 3335.61
Broadcast Educational Media Commission	R.C. 3353.02
Bureau of Workers' Compensation Board of Directors	R.C. 4121.12
Capitol Square Review and Advisory Board	R.C. 105.41
Child Care Advisory Council	R.C. 5104.08
Child Support Guideline Advisory Council	R.C. 3119.024
Children's Trust Fund Board	R.C. 3109.15
Citizen's Advisory Council	R.C. 5123.092
Clean Ohio Trail Advisory Board	R.C. 1519.06
College Credit Plus Advisory Committee	R.C. 3365.15
Commercial Dog Breeding Advisory Board	R.C. 956.17
Commission on African-American Males	R.C. 4112.12
Commission on Hispanic-Latino Affairs	R.C. 121.31

Commission on Minority Health	R.C. 3701.78
Committee on Chartered Nonpublic Schools Graduation Requirements	Section 11, Am. Sub. H.B. 487, 130th G.A.
Committee on Prescriptive Governance	R.C. 4723.49
Commodity Advisory Commission	R.C. 926.32
Continuing Education Committee (sheriffs)	R.C. 109.80
County Sheriff's Standard Car Marking and Uniform Commission	R.C. 311.25
Credential Review Board	R.C. 3319.65
Credit Union Council	R.C. 1733.329
Criminal Justice Recodification Committee	Section 729.10, Am. Sub. H.B. 483, 130th G.A.
Criminal Sentencing Advisory Committee	R.C. 181.22
Dentist Loan Repayment Advisory Board	R.C. 3702.92
Director of Health's Advisory Group on Violent Deaths	R.C. 3701.932
Directors of the Medical Liability Underwriting Association Stabilization Reserve Fund	R.C. 3929.631
Early Childhood Advisory Council	R.C. 3301.90
Early Childhood Financing Workgroup	Section

	265.70.20, H.B. 1, 128th G.A.
Education Management Information System Advisory Board	R.C. 3301.0713
Educator Standards Board	R.C. 3319.60
Electrical Safety Inspector Advisory Committee	R.C. 3783.08
Emergency Response Commission	R.C. 3750.02
Engineering Experiment Station Advisory Committee	R.C. 3335.27
English Language Arts Academic Standards Review Committee	R.C. 3301.079
Environmental Education Council	R.C. 3745.21
Ex-Offender Reentry Coalition	R.C. 5120.07
Farmland Preservation Advisory Board	R.C. 901.23
Forestry Advisory Council	R.C. 1503.40
Governor's Council on People with Disabilities	R.C. 3303.41
Governor's Residence Advisory Commission	R.C. 107.40
Grace Commission	Section 701.05, Am. Sub. H.B. 64, 131st G.A.
Grain Marketing Program Operating Committee	R.C. 924.22
Higher Education Student Financial Aid Workgroup	Section 6, Sub. H.B.

	484, 130th G.A.
Homeland Security Advisory Council	R.C. 5502.011
Industrial Commission Nominating Council	R.C. 4121.04
Infant Hearing Screening Subcommittee	R.C. 3701.507
Joint Select Committee on Volume Cap	R.C. 133.021
Land Use Advisory Committee to the President of Ohio University	R.C. 3337.16
Legislative Programming Committee of the Ohio Government Telecommunications Service	R.C. 3353.07
Legislative Task Force on Redistricting, Reapportionment, and Demographic Research	R.C. 103.51
Local Government Innovation Council	R.C. 189.03
Materials Management Advisory Council	R.C. 3734.49
Mathematics Academic Standards Review Committee	R.C. 3301.079
Medically Handicapped Children's Medical Advisory Council	R.C. 3701.025
Milk Sanitation Board	R.C. 917.03
Minority Development Financing Advisory Board	R.C. 122.72
MARCS Steering Committee and Statewide Communication System	Section 15.02, H.B. 640, 123rd

	G.A.
New African Immigrants Commission	R.C. 4112.31
Office of Enterprise Development Advisory Board	R.C. 5145.162
Ohio Advisory Council for the Aging	R.C. 173.03
Ohio Aerospace and Aviation Technology Committee	R.C. 122.98
Ohioana Library Association, Martha Kinney Cooper Memorial, Board of Trustees	R.C. 3375.62
Ohio Agricultural License Plate Scholarship Fund Board	R.C. 901.90
Ohio Arts Council	R.C. 3379.02
Ohio Business Gateway Steering Committee	R.C. 5703.57
Ohio Cemetery Dispute Resolution Commission	R.C. 4767.05
Ohio Civil Rights Commission Advisory Agencies and Conciliation Councils	R.C. 4112.04
Ohio Commission on Service and Volunteerism	R.C. 121.40
Ohio Constitutional Modernization Commission	R.C. 103.61
Ohio Cystic Fibrosis Legislative Task Force	R.C. 101.38
Ohio Developmental Disabilities Council	R.C. 5123.35
Ohio Expositions Commission	R.C. 991.02
Ohio Family and Children First Cabinet Council	R.C. 121.37
Ohio Geographically Referenced Information Program Council	R.C. 125.901

Ohio Grape Industries Committee	R.C. 924.51
Ohio Historic Site Preservation Advisory Board	R.C. 149.301
Ohio History Connection Board of Trustees	R.C. 149.30
Ohio Judicial Conference	R.C. 105.91
Ohio Lake Erie Commission	R.C. 1506.21
Ohio Livestock Care Standards Board	R.C. 904.02
Ohio Medical Quality Foundation	R.C. 3701.89
Ohio Military Facilities Commission	R.C. 5913.12
Ohio Private Investigation and Security Services Commission	R.C. 4749.021
Ohio Public Defender Commission	R.C. 120.01
Ohio Public Library Information Network Board of Trustees	R.C. 3375.65
Ohio Small Government Capital Improvements Commission	R.C. 164.02
Ohio Soil and Water Conservation Commission	R.C. 1515.02
Ohio Standardbred Development Commission	R.C. 3769.085
Ohio Thoroughbred Racing Advisory Committee	R.C. 3769.084
Ohio 2020 Tax Policy Study Commission	Section 757.50, H.B. 64, 131st G.A.
Ohio Vendors Representative Committee	R.C. 3304.34
Ohio War Orphans Scholarship Board	R.C. 5910.02

Ohio Water Advisory Council	R.C. 1521.031
Oil and Gas Leasing Commission	R.C. 1509.71
Opportunities for Ohioans with Disabilities Commission	R.C. 3304.12
Opportunities for Ohioans with Disabilities Commission Consumer Advisory Committee	R.C. 3304.14
Organized Crime Investigations Commission	R.C. 177.01
Pharmacy and Therapeutics Committee of the Department of Medicaid	R.C. 5164.7510
Physician Assistant Policy Committee of the State Medical Board	R.C. 4730.05
Power Siting Board	R.C. 4906.02
Prequalification Review Board	R.C. 5525.07
Public Utilities Commission Nominating Council	R.C. 4901.021
Radiation Advisory Council	R.C. 3748.20
Reclamation Commission	R.C. 1513.05
Reclamation Forfeiture Fund Advisory Board	R.C. 1513.182
Savings and Loan Associations and Savings Banks Board	R.C. 1181.16
School and Ministerial Lands Divestiture Committee	R.C. 501.041
Science Academic Standards Review Committee	R.C. 3301.079
Small Business Advisory Council	R.C. 107.63

Small Business Stationary Source Technical and Environmental Compliance Assistance Council	R.C. 3704.19
Social Studies Academic Standards Review Committee	R.C. 3301.079
Special Commission to Consider the Suspension of Local Government Officials	R.C. 3.16
State Audit Committee	R.C. 126.46
State Council of Uniform State Laws	R.C. 105.21
State Criminal Sentencing Commission	R.C. 181.21
State Racing Commission	R.C. 3769.02
State Victims Assistance Advisory Council	R.C. 109.91
Straight A Program Advisory Committee	Section 263.325, Am. Sub. H.B. 59, 130th G.A.
Straight A Program Governing Board	Section 263.350, Am. Sub. H.B. 64, 131st G.A.
State Fire Council	R.C. 3737.81
Statewide Consortium of County Law Library Resource Boards	R.C. 3375.481
STEM Committee of the Department of Education	R.C. 3326.02
Student Tuition Recovery Authority	R.C. 3332.081

Supervisory Investigative Panel of the State Dental Board	R.C. 4715.032
Tax Credit Authority	R.C. 122.17
Technical Advisory Council on Oil and Gas	R.C. 1509.38
TourismOhio Advisory Board	R.C. 122.071
Transportation Advisory Council of a Transportation Improvement Project	R.C. 4504.22
Transportation Review Advisory Council	R.C. 5512.07
Unemployment Compensation Advisory Council	R.C. 4141.08
Unemployment Compensation Review Commission	R.C. 4141.06
Utility Radiological Safety Board	R.C. 4937.02
Veterans Advisory Committee	R.C. 5902.02
Volunteer Fire Fighters' Dependents Fund Boards (private)	R.C. 146.02
Volunteer Fire Fighters' Dependents Fund Boards (public)	R.C. 146.02
Waterways Safety Council	R.C. 1547.73
Wildlife Council	R.C. 1531.03
Workers' Compensation Board of Directors Nominating Committee	R.C. 4121.12

SECTION 4. The following Sections are repealed:

Sections 259.270, 263.560, 327.320, 737.10, and 745.10 of Am. Sub. H.B. 64 of the 131st General Assembly

Sections 323.234, 323.235, 747.10, and 753.30 of Am. Sub. H.B. 59 of the 130th General Assembly

Section 5 of Am. Sub. H.B. 487 of the 130th General Assembly

Section 5 of Sub. H.B. 5 of the 130th General Assembly

Section 3 of Sub. H.B. 276 of the 129th General Assembly
 Section 371.60.80 of Am. Sub. H.B. 153 of the 129th General Assembly, as amended by Am. Sub. H.B. 487 of the 129th General Assembly
 Section 209.40 of Am. Sub. H.B. 153 of the 129th General Assembly
 Section 701.40 of Am. Sub. H.B. 153 of the 129th General Assembly, as amended by Am. Sub. H.B. 487 of the 129th General Assembly
 Sections 751.13 and 751.20 of Am. Sub. H.B. 1 of the 128th General Assembly
 Section 701.05 of Am. Sub. H.B. 1 of the 128th General Assembly, as amended by Sub. H.B. 393 of the 128th General Assembly
 Section 755.40 of Am. Sub. H.B. 2 of the 128th General Assembly
 Section 5 of Sub. S.B. 162 of the 128th General Assembly, as amended by Am. Sub. H.B. 153 of the 129th General Assembly
 Section 313 of Am. Sub. H.B. 420 of the 127th General Assembly
 Section 375.60.80 of Am. Sub. H.B. 119 of the 127th General Assembly
 Section 560.03 of Am. Sub. H.B. 66 of the 126th General Assembly
 Section 3 of Am. Sub. S.B. 311 of the 126th General Assembly
 Section 8 of Am. Sub. S.B. 311 of the 126th General Assembly, as amended by Sub. H.B. 190 of the 127th General Assembly
 Section 3 of Sub. H.B. 204 of the 125th General Assembly
 Section 5 of Sub. H.B. 57 of the 124th General Assembly

SECTION 5. It is in part the intent of the General Assembly in enacting this act to implement the report of the Sunset Review Committee that was convened during the 131st General Assembly.

That report is implemented in part as follows:

(A) By the abolishment in this act, through amendments to relevant codified sections of law and through outright repeals of codified or uncodified sections of law, of numerous agencies, as defined in section 101.82 of the Revised Code, that were subject to the Committee's jurisdiction;

(B) By the termination, through amendments to relevant codified sections of law and through outright repeals of codified or uncodified sections of law, of several agencies, as defined in section 101.82 of the Revised Code, that were subject to the Committee's jurisdiction;

(C) By the transfer, through the amendment of codified or uncodified sections of law, of several agencies, as defined in section 101.82 of the Revised Code, that were subject to the Committee's jurisdiction;

(D) By the renewal, through the amendment or enactment of codified or uncodified sections of law, of the existence of numerous agencies, as defined in section 101.82 of the Revised Code, that were subject to the Committee's jurisdiction.

SECTION 6. The terms of office for all members of the Housing Trust Fund Advisory Committee, appointed under section 174.06 of the Revised Code before the effective date of this section, expire ninety days after the effective date of this section. The Governor shall appoint seven members to the Committee to serve terms of office beginning on that date. The Governor may

appoint to the Committee a person who is serving, or has served, on the Committee before the effective date of this section, provided that the person is eligible for appointment under section 174.06 of the Revised Code, as amended by this act.

SECTION 7. A gubernatorial appointee who is serving on the Ohio Tuition Trust Authority Advisory Board on the effective date of this section, and who, as a result of the amendments in this act to section 3334.03 of the Revised Code, no longer meets the qualifications for appointment, may continue to serve on the board until the expiration of the person's current term. The appointee is not eligible for reappointment to the board.

SECTION 8. The abolition of the Ohio Water Resources Council, powers, and obligations do not affect the validity of contracts and agreements made by the council and its members under division (E) of section 1521.19 of the Revised Code or any other provisions of law. The Department of Natural Resources succeeds the Ohio Water Resources Council with respect to all of these contracts and agreements. Wherever the Ohio Water Resources Council is referred to in any provision of law, or in any contract, agreement, or document, the reference is to the Department of Natural Resources.

All real property and interests therein, documents, books, money, papers, records, machinery, furnishings, office equipment, furniture, and all other property over which the Ohio Waters Resources Council has control are transferred to the Department of Natural Resources.

SECTION 9. On July 1, 2016, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Ohio Water Resources Council Fund (Fund 4X80) to the General Revenue Fund. After completion of the transfer, Fund 4X80 shall be abolished.

SECTION 10. The terms of office for all members of the Advisory Board of the Governor's Office of Faith-based and Community Initiatives appointed under section 107.12 of the Revised Code before the effective date of this section, expire on the effective date of this section. The Governor, the Speaker of the House of Representatives, and the President of the Senate, not later than sixty days after the effective date of this section, shall appoint members to the Board. A person who is serving, or has served, on the Board before the effective date of this section may be appointed to the newly constituted Board, provided that the person is eligible for appointment under section 107.12 of the Revised Code, as amended by this act.

SECTION 11. It is the intent of the General Assembly formally to abolish the Compact with Ohio Cities Task Force, which was authorized in H.R. 20 of the 128th General Assembly to operate until September 30, 2009.

SECTION 12. (A) The Governor may execute a deed in the name of the state conveying to Mucci Farms, Ltd. or its affiliates ("Grantee") and its heirs, successors, and assigns, all of the state's

right, title, and interest in the following described real estate:

Situated in the Township of Huron, County of Erie, State of Ohio, and is described as follows:

Parcel 1

Situated in the County of Erie in the State of Ohio, and in the Township of Huron and bounded and described as follows:

Being the North 1/2 of Lot Number Twenty-one (21) in Section Number 2, containing 55.55 acres, more or less.

Parcel 2

Situated in the Township of Huron, County of Erie and State of Ohio:

The West Thirty (30) acres of the East Forty (40) acres the South One-half (1/2) of original Lot Number Twenty-one (21), in Section Number Two (2), in Huron Township, Erie County, Ohio.

Parcel 3

Situated in the Township of Huron, County of Erie and State of Ohio:

And being the East Ten (10) acres of the South One-half (1/2) of Lot Number Twenty-One (21) in Section Number Two (2) of said Township. Containing Ten acres, more or less.

Property Address: Rye Beach Road, Huron, OH 44839

Parcel No.: 39-67001.000 and 39-67002.000 and 39-67003.000

Prior Instrument References:

Deed Book 373, Page 269, Deed Book 373, Page 275, Deed Book 373, Page 264

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance includes any improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record: all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed for the conveyance of the real estate may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions the Director of Administrative Services determines to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or Bowling Green State University without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate described in division (A) of this section is \$730,957.50 or \$7,650.00 per acre.

The Director of Administrative Services shall offer the real estate to Mucci Farms, Ltd. through a real estate purchase agreement. If Mucci Farms, Ltd. does not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, the Director of Administrative Services may use any reasonable method of sale considered acceptable by Bowling Green State University to determine an alternate grantee willing to complete the purchase not later than three years after the effective date of this section. In that case, consideration for the conveyance of the real estate shall be at a price acceptable to the Director of Administrative Services and Bowling

Green State University. Bowling Green State University shall pay all advertising costs, additional fees, and other costs incident to the sale of the real estate to an alternate grantee or grantees.

(D) The real estate described in division (A) of this section may be sold as an entire tract or in separate or multiple parcels.

(E) All costs associated with the purchase, the closing, and the conveyance of the subject real property shall be paid by the grantee and Bowling Green State University in the manner stated in the real estate purchase agreement.

The net proceeds of the sale shall be paid to Bowling Green State University and deposited in the appropriate university account, and shall be used by Bowling Green State University for debt retirement only.

(F) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Erie County Recorder.

(G) This section expires three years after its effective date.

(H) Before the execution of the deed described in division (F) of this section, possession of the real estate may be governed by an existing interim lease between the Ohio Department of Administrative Services and the grantee.

SECTION 13. (A) The Governor may execute a deed in the name of the state conveying to Wooster Street Apartments, LLC ("Grantee"), and its heirs, successors, and assigns, all of the state's right, title, and interest in the following described real estate:

Being Inlot 212, less the north 10 feet; Inlot 213; the north 39 feet of the west 48 feet of the south 114 feet of the east 150 feet of Inlot 266; and the south 114 feet of the west 48 feet of Inlot 266, all in the City of Bowling Green, Wood County, Ohio, which is more particularly described as follows:

Commencing at found hollow pipe on the easterly right-of-way line of S. Prospect Street (60' Wide) marking the northwest corner of said Inlot 212;

Thence South 00 degrees 41 minutes 00 seconds West along the west line said Inlot 212 and the easterly right-of-way line of S. Prospect Street (60' Wide), a distance of 10.00 feet to found hollow pipe at the northwest corner of a parcel of land owned by State of Ohio-Bowling Green State University, as described in Deed Volume 503, Page 165 of Wood County Records, said point being the "True Point of Beginning";

Thence South 89 degrees 29 minutes 47 seconds East along a line being 10.00 feet south of and parallel with the north line of said Inlot 212 and on the southerly line of a parcel of land owned by ECC Bowling Green Ohio LLC as described in O.R. 3381, Page 753 of Wood County Records, a distance of 214.63 feet (214.50 feet Recorded) to the westerly line of a parcel of land owned by Kuhlman as described in O.R. 3434, Page 962 of Wood County Records being the east line of the west 48.00 feet of the south 114.00 feet of the east 150.00 feet of said Inlot 266 to a found iron pin;

Thence South 00 degrees 41 minutes 00 seconds West along the westerly line of said parcel

of land owned by Kuhlman as described in O.R. 3434, Page 962 of Wood County Records and being the easterly line of north 39.00 feet of the west 48.00 feet of the south 114.00 feet of the east 150.00 feet of said Inlot 266, a distance of 39.00 feet to the southeast corner of the north 39.00 feet of the west 48.00 feet of the south 114.00 feet of the east 150.00 feet of said Inlot 266 to a found iron pin;

Thence North 89 degrees 29 minutes 47 seconds West along the southerly line of the north 39.00 feet of the west 48.00 feet of the south 114.00 feet of the east 150.00 feet of said Inlot 266, a distance of 48.23 feet (48.00 feet Recorded) to the southwest corner of the north 39.00 feet of the west 48.00 feet of the south 114.00 feet of the east 150.00 feet of said Inlot 266 to a set iron pin;

Thence South 00 degrees 41 minutes 51 seconds West along the east line of the west 48.00 feet of said Inlot 266 and being the westerly line a parcel of land owned by Walston as described in Deed Volume 623, Page 334 and a parcel of land owned by Snyder as described in Deed Volume 628, Page 781 a distance of 76.91 feet to a set pk nail at a point on the south line of said Inlot 266;

Thence North 87 degrees 21 minutes 01 seconds West along the northerly line of a parcel of land owned by G Rem Family Investors LLC as described in O.R. 3115, Page 201 and being the southerly line of Inlot 266, a distance of 48.00 feet to found hollow pipe marking the southwest corner of said Inlot 266, point also being on the easterly line of said Inlot 213;

Thence South 00 degrees 03 minutes 36 seconds West along the easterly line of said Inlot 213 and being the westerly line of a parcel of land owned by G Rem Family Investors LLC as described in O.R. 3115, Page 201 of Wood County Records and being the westerly line of Inlot 184, a distance of 7.89 feet to a set iron pin at the southeast corner of said Inlot 213;

Thence North 89 degrees 29 minutes 47 seconds West along the southerly line of said Inlot 213 and being the northerly line of a parcel of land owned by Snyder as described in Deed Volume 2478, Page 237 of Wood County Records and being the northerly line of Inlot 214, a distance of 118.49 feet to a set iron pin at the southwest corner of said Inlot 213;

Thence North 00 degrees 41 minutes 00 seconds East along the west lines of said Inlots 212 and 213 and the easterly right-of-way line of S. Prospect Street (60' Wide), a distance of 122.00 feet to the "True Point of Beginning";

The area herein described contains 21,846 square feet, 0.502 acres of land, more or less, 0.152 acres within parcel B07-511-190317015000, 0.180 acres within parcel B07-511-190317016000, 0.127 acres within parcel B07-511-190317017000, and 0.043 acres within parcel B07-511-190317018000. Subject to all legal highways, leases, easements, restrictions and agreements of record.

Prior Deed Reference: Parcel IV Described in Deed Volume 503, Page 165

NOTES:

1. Coordinates shown and basis of bearings were determined by the Ohio State Plane coordinate system North zone (3401) and 83 (2011) 2002.0 epoch, units in U.S. survey feet, obtained using gps equipment and the Ohio Department of Transportation VRS/RTK network. Grid coordinates were used.

2. All Iron Pins set are 5/8" diameter rebar x 30" long with cap stamped "ESA LLC".

3. The above description is based upon a field survey performed in April, 2016.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance includes improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed for the conveyance of the real estate may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions the Director of Administrative Services determines to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or Bowling Green State University without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate described in division (A) of this section is \$180,000.

The Director of Administrative Services shall offer the real estate to Wooster Street Apartments, LLC through a real estate purchase agreement. If Wooster Street Apartments, LLC does not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, the Director of Administrative Services may use any reasonable method of sale considered acceptable by Bowling Green State University to determine an alternate grantee or grantees willing to complete the purchase not later than three years after the effective date of this section. In that case, consideration for the conveyance of the real estate shall be at a price acceptable to the Director of Administrative Services and Bowling Green State University. Bowling Green State University shall pay all advertising costs, additional fees, and other costs incident to the sale of the real estate to an alternate grantee or grantees.

(D) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(E) Grantee shall pay all costs associated with the purchase, closing, and conveyance of the real estate, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

The net proceeds of the sale shall be paid to Bowling Green State University and deposited in the appropriate university account, and shall be used by Bowling Green State University for debt retirement only.

(F) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Wood County Recorder.

(G) This section expires three years after its effective date.

SECTION 14. (A) The Governor may execute a deed in the name of the state conveying to the selected Grantee or Grantees, their heirs, successors, and assigns to be determined in the manner provided in division (C) of this section, all of the state's right, title, and interest in the following

described real estate:

Situated in the City of East Liverpool, County of Columbiana and State of Ohio:

TRACT NO. 1:

Known as and being the East part of that certain Lot Numbered Five Hundred Forty-two (542), as said Lot is numbered and distinguished on the recorded plat of Josiah Thompson's First Addition to said City of East Liverpool, Ohio, and more particularly bounded and described by beginning at the Northwest corner of the intersection of Robinson (now East Fourth Street) and College Streets, and running thence on the West line of College Street Northward One Hundred Nine (109) feet to Pleasant Lane; thence on the South line of Pleasant Lane Westward thirty-six (36) feet; thence on a line parallel with said College Street southward One Hundred Nine (109) feet to a point on the North line of Robinson (now East Fourth) Street; thence on the North line of Robinson (now East Fourth) Street Eastward Thirty-six (36) feet to the place of beginning. Plat Book 1, Page 12.

Tax Parcel No. 37-08296.000

TRACT NO. 2:

Known as and being the southeast rectangular corner of Lot Number Five Hundred Forty-one (541), as said Lot is numbered and distinguished on the recorded plat of Josiah Thompson's First Addition to said City of East Liverpool, Ohio. Said part of said Lot herein described and hereby conveyed is bounded and more specifically described as follows, to wit: Beginning at the southeast corner of said Lot No. 541, which said place of beginning is the northwest corner of the intersection of College Street and Pleasant Lane; thence extending from said place of beginning North 33 feet with the east line of said Lot 541, to the northeast corner of the premises hereby conveyed; thence extending west 54 ½ feet, with a line parallel to and 33 feet distant north from the south line of said Lot No. 541, to the northwest corner of the premises hereby conveyed; thence extending south 33 feet, with a line parallel to and 54 ½ feet distant west from the east line of said Lot No. 541, to a point in the south line of said Lot No. 541; thence extending east 54 ½ feet, with the south line of said Lot No. 541, to said place of beginning. Said premises are otherwise described as follows: Bounded on the east by the west line of College Street; bounded on the south by the north line of Pleasant Lane; bounded on the West by a line parallel to and 54 ½ feet distant west from the west line of said College Street; and bounded on the north by a line parallel to and 33 feet distant north from the north line of Pleasant Lane. For purposes of describing said premises, said College Street is considered to extend north and south, and said Pleasant Lane is considered to extend east and west. Plat Book 1, Page 12.

AND BEING the same property conveyed to Kent State University from the American National Red Cross by Warranty Deed dated April 28, 2009 and recorded May 14, 2009 in Book 1681, Page 470. (TRACTS 1 and 2)

Tax Parcel No. 37-05974.000

TRACT NO. 3:

Known as and being that part of Lot Number Five Hundred Forty-two (542) as said Lot is numbered and distinguished on the recorded plat of Josiah Thompson's First Addition, Plat Book 1, Page 12, which is bounded and described as follows:

Commencing at a point on the north side of Robinson Street, now known as East Fourth Street, thirty-six (36) feet eastward of the south west corner of said Lot, and running thence

northward, in line parallel with Grove Alley, one hundred nine (109) feet to Pleasant Lane; thence with the south side of Pleasant Lane eastward thirty-seven (37) feet; thence in line parallel with College Street, southward one hundred nine (109) feet to the north side of Robinson Street, now known as East Fourth Street; thence with the north side of Robinson Street, now known as East Fourth Street, westward thirty-seven (37) feet to the place of beginning.

Subject to all legal highways and easements of record.

AND BEING the same property conveyed to Kent State University Board of Trustees from Kathleen P. Treasure, htta Kathleen P. Altdoerffer, married, by Warranty Deed dated April 26, 2008 and recorded May 9, 2008 in Book 1626, Page 450.

Tax Parcel No. 37-05208.000

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance shall include the improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed may contain restrictions, exceptions, reservations, reversionary interests, and other terms and conditions the Director of Administrative Services determines to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or Kent State University without the necessity of further legislation.

The deed or deeds may contain restrictions prohibiting the grantee or grantees from occupying, using, developing, or selling the real estate if the occupation, use, development, or sale will interfere with the quiet enjoyment of neighboring state-owned land.

(C) The Director of Administrative Services shall conduct a sale of the real estate by sealed bid auction or public auction, and the real estate shall be sold to the highest bidder at a price acceptable to the Director of Administrative Services and Kent State University. The Director of Administrative Services shall advertise the sealed bid auction or public auction by publication in a newspaper of general circulation in Columbiana County, once a week for three consecutive weeks before the date on which the sealed bids are to be opened or the public auction held. The Director of Administrative Services shall notify the successful bidder in writing. The Director of Administrative Services may reject any or all bids.

The purchaser shall pay ten percent of the purchase price to the Director of Administrative Services not later than five business days after receiving the notice the bid has been accepted and shall enter into a real estate purchase agreement, in the form prescribed by the Department of Administrative Services. Payment shall be made by certified check made payable to the Treasurer of State. The purchaser shall submit the balance of the purchase price to the Director of Administrative Services at closing. A purchaser who does not complete the conditions of the sale as prescribed in this division shall forfeit as liquidated damages the ten percent of the purchase price paid to the state. If a purchaser fails to complete the purchase, the Director of Administrative Services may accept the

next highest bid, subject to the foregoing conditions. If the Director of Administrative Services rejects all bids, the Director may repeat the sealed bid auction or public auction, or may use an alternative sale process that is acceptable to Kent State University. Any subsequent costs attributed to the marketing of a secondary sale shall be the responsibility of Kent State University.

(D) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(E) Purchaser shall pay all costs associated with the purchase, closing, and conveyance, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

(F) The net proceeds of the sale of the real estate shall be paid to Kent State University and deposited in the appropriate university accounts, and shall be used by Kent State University for debt retirement only.

(G) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed conveying the real estate described in division (A) of this section to the purchaser. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the Grantee. The purchaser shall present the deed for recording in the Office of the Columbiana County Recorder.

(H) This section expires three years after its effective date.

SECTION 15. (A) The Governor may execute a deed in the name of the state conveying to the Board of Trustees of the Columbus Metropolitan Library, a county library district, (body politic and corporate pursuant to section 3375.33 of the Revised Code) ("Grantee") its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Tract One

0.278 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of Lot 28 and part of Lot 29 of the Eastwood Heights Addition Plat Book 4, Page 109 as conveyed to The Ohio State University by deed of record in Instrument No. 199904090088853 as recorded in the Franklin County Recorder's Office and being further described as follows:

Beginning at a mag nail set in the northerly line of Lot 29 at the intersection of the extension of the southerly existing right of way line of Eastwood Avenue (50' Wide) and the westerly line of a 0.016 acre tract located in Lot 29 and conveyed as right of way to the City of Columbus in Official Record 7778, Page C07;

Thence South $03^{\circ}52'26''$ West, a distance of 139.95 feet leaving said southerly existing right of way line and passing through said Lot 29 to a $\frac{3}{4}$ " iron pipe found in the southerly line of Lot 29 at the intersection of the extension of the northerly existing right of way line of Elmwood Alley (20' Wide);

Thence North $87^{\circ}37'31''$ West, a distance of 86.67 feet in the southerly line of Lots 29 and 28 along said northerly existing right of way line to a $\frac{3}{4}$ " iron pipe at the southeasterly corner of Lot 27 and a parcel of land conveyed to Surreal Estate, LLC by deed of record in Instrument No. 201510090143918;

Thence North 03°52'26" East, a distance of 139.95 feet leaving said northerly existing right of way line and along the easterly line of Lot 27 and said Surreal Estate parcel to a ¾" iron pipe found on the southerly existing right of way line of Eastwood Avenue and being the northeasterly corner of Lot 27 and said Surreal Estate parcel;

Thence South 87°37'31" East, a distance of 86.67 feet in the northerly line of Lots 28 and 29 along the southerly existing right of way line of Eastwood Avenue to the TRUE POINT OF BEGINNING and containing 0.278 acres, more or less, of which 0.016 acres as conveyed to the City of Columbus in Official Record 7778, Page B19 are within the present road occupied.

Of the above described tract, 0.147 acres, more or less, are located within Auditor's Parcel No. 010-051904 and 0.131 acres (PRO 0.016 acres), more or less, are located within Auditor's Parcel No. 010-018902.

The basis of bearing of South 85°58'02" East on the southerly existing right of way line of Long Street is referenced to the State Plane Coordinate System South Zone NAD 83 (NSRS 2011).

This description was prepared by Tony W. Meacham, Ohio Professional Surveyor No. 7799 from an actual field survey performed in 2016 by Korda/Nemeth Engineering, Inc.

Iron pins set are 5/8" x 30" rebar topped by an orange cap stamped "KNE PS NO. 7799."

Tract Two

0.299 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of Lots 30-31 of the Eastwood Heights Addition Plat Book 4, Page 109 as conveyed to The Ohio State University by deed of record in Instrument No. 199904090088853 as recorded in the Franklin County Recorder's Office and being further described as follows:

Beginning at a mag nail set at the intersection of the northerly existing right of way line of Eastwood Avenue (50' Wide) and the westerly existing right of way line of Taylor Avenue (Width Varies), said intersection also being the southeasterly corner of Lot 30 of the Eastwood Heights Addition;

Thence North 87°37'31" West, a distance of 89.37 feet along said northerly existing right of way line to a ¾" iron pipe found at the southeasterly corner of Lot 32 and a parcel of land conveyed to Kenneth A. Fischer by deed of record in Instrument No. 199903290076857;

Thence North 03°52'26" East, a distance of 146.85 feet leaving said northerly existing right of way line and along the easterly line of Lot 32 and said Fischer parcel to an iron pin set on the southerly existing right of way line of Maplewood Alley (20' Wide) and being the northeasterly corner of Lot 32 and said Fischer parcel;

Thence South 85°58'02" East, a distance of 89.34 feet leaving the easterly line of Lot 32 and said Fischer parcel along said southerly existing right of way line to a mag nail set at the intersection of said southerly existing right of way line and the westerly existing right of way line of Taylor Avenue (Width Varies);

Thence South 03°52'26" West, a distance of 144.26 feet leaving said southerly existing right of way line and along said westerly existing right of way line to the TRUE POINT OF BEGINNING and containing 0.299 acres, more or less, of which 0.000 acres are within the present road occupied.

Of the above described tract, 0.149 acres, more or less, are located within Auditor's Parcel No. 010-009288, and 0.150 acres, more or less, are located within Auditor's Parcel No. 010-034261.

The basis of bearing of South 85°58'02" East on the southerly existing right of way line of Long Street is referenced to the State Plane Coordinate System South Zone NAD 83 (NSRS 2011).

This description was prepared by Tony W. Meacham, Ohio Professional Surveyor No. 7799 from an actual field survey performed in 2016 by Korda/Nemeth Engineering, Inc.

Iron pins set are 5/8" x 30" rebar topped by an orange cap stamped "KNE PS NO. 7799."

Tract Three

0.723 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lot 71 and all of Lots 72-75 of the Eastwood Heights Addition Plat Book 4, Page 109 as conveyed to The Ohio State University by deed of record in Instrument No. 199904090088853 as recorded in the Franklin County Recorder's Office and being further described as follows:

Beginning at a mag nail set at the intersection of the southerly existing right of way line of Long Street (70' Wide) and the westerly existing right of way line of Taylor Avenue (Width Varies), said intersection also being the northeasterly corner of Lot 75 of the Eastwood Heights Addition;

Thence South 03°52'26" West, a distance of 149.59 feet along said westerly existing right of way line and the easterly line of Lot 75 to a mag nail set at the intersection of said westerly existing right of way line and the northerly existing right of way line of Maplewood Alley (20' Wide);

Thence North 85°58'02" West, a distance of 210.42 feet leaving said westerly existing right of way line and the southeasterly corner of Lot 75, in the southerly line of Lots 75 through 71 and along said northerly existing right of way line to an iron pin set at the southeasterly corner of a parcel of land conveyed to Daniel E. Laprade by deed of record in Instrument No. 199903290076857;

Thence North 03°52'26" East, a distance of 149.59 feet along the easterly line of said Daniel E. Laprade parcel and through Lot 71 of the Eastwood Heights Addition to a ¾" iron pipe found at the southerly existing right of way line of Long Street;

Thence South 85°58'02" East, a distance of 210.42 feet leaving the easterly line of said Daniel E. Laprade parcel and in the northerly line of Lots 71 through 75 and along said southerly existing right of way line to the TRUE POINT OF BEGINNING and containing 0.723 acres, more or less, of which 0.000 acres are within the present road occupied.

Of the above described tract, 0.109 acres, more or less, are located within Auditor's Parcel No. 010-008037, 0.153 acres, more or less, are located within Auditor's Parcel No. 010-018858, 0.077 acres, more or less, are located within Auditor's Parcel No. 010-015832, 0.077 acres, more or less, are located within Auditor's Parcel No. 010-003205, 0.077 acres, more or less, are located within Auditor's Parcel No. 010-023435 and 0.230 acres, more or less, are located within Auditor's Parcel No. 010-028592.

The basis of bearing of South 85°58'02" East on the southerly existing right of way line of Long Street is referenced to the State Plane Coordinate System South Zone NAD 83 (NSRS 2011).

This description was prepared by Tony W. Meacham, Ohio Professional Surveyor No. 7799 from an actual field survey performed in 2016 by Korda/Nemeth Engineering, Inc.

Iron pins set are 5/8" x 30" rebar topped by an orange cap stamped "KNE PS NO. 7799."

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance shall include the improvements situated on the real estate, and is

subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed for the conveyance of the subject real estate may contain restrictions, exceptions, reservations, reversionary interests, and other terms and conditions specified in the real estate purchase agreement entered into by the parties, and/or the resolution adopted by the Board of Trustees of The Ohio State University approving the sale.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the Board of Trustees of The Ohio State University without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate described in division (A) of this section is \$187,000.

(D) Each of the tracts described in division (A) of this section shall be conveyed in its entirety and may not be conveyed as a portion of any tract.

(E) All costs associated with the purchase, closing, and conveyance of the real estate described in division (A) of this section shall be paid by the grantee and The Ohio State University in the manner provided for in the real estate purchase agreement.

The net proceeds of the sale shall be deposited into university accounts for purposes to be determined by the Board of Trustees of The Ohio State University.

(F) Subsequent to the effective date of this act, the Department of Administrative Services shall request the Auditor of State, with the assistance of the Attorney General, to prepare a deed for the conveyance of the real estate described in division (A) of this section. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the Grantee. The Grantee shall present the deed for recording in the Office of the Franklin County Recorder.

(G) This section expires three years after its effective date.

SECTION 16. (A) The Governor may execute a deed in the name of the state conveying to GZD Investments LLC, an Ohio limited liability company ("Grantee"), and to its successors and assigns, or to an alternate grantee as set forth below in division (C) of this section, all of the state's right, title, and interest in the following described real estate:

PARCEL 1

Situate in the State of Ohio, County of Franklin, City of Gahanna, being located in Quarter Township 1, Township 1, Range 17, United States Military Lands and being part of the 22.950 acre tract conveyed to The Vista at Rocky Fork, Limited Partnership, by deed of record in Official Record 15946B20, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at a point in the westerly right-of-way line of Hamilton Road at the southwesterly corner of a 1.152 acre tract conveyed to The City of Gahanna, by deed of record in Official Record 15946B09, said point also being in the southerly line of said The Vista at Rocky Fork L.P. 22.950

acre tract, the northerly line of the 57.265 acre tract conveyed to Academy Development Limited Partnership, by deed of record in Official Record 15030C06;

thence North 85° 51' 10" West, along said northerly line of the Academy Development L.P. 57.265 acre tract, a distance of 485.00 feet to a point;

thence North 15° 23' 12" East, a distance of 74.20 feet to a point;

thence North 67° 00' 00" East, a distance of 215.00 feet to a point;

thence North 89° 00' 00" East, a distance of 180.00 feet to a point;

thence South 85° 50' 13" East, a distance of 100.00 feet to a point in the westerly right-of-way line of Hamilton Road, the westerly line of the City of Gahanna 1.152 acre tract;

thence South 4° 09' 47" West, along said right-of-way line of Hamilton Road, being 50 feet westerly, as measured at right angles and parallel with the centerline of Hamilton Road, a distance of 187.00 feet to the place of beginning, containing 1.713 acres, more or less.

Franklin County Parcel No. 025-009951-00

Prior Instrument Reference: 199803200064415

PARCEL 2

Being situated in the City of Gahanna, Franklin County, Ohio and being more particularly described as follows:

Being Lot 1 of Lion Academy Village as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 75, Page 99, Recorder's Office, Franklin County, Ohio.

Franklin County Parcel No. 025-009952-00

Prior Instrument Reference: 199803200064417

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance shall include the improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed or deeds for the conveyance of the real estate may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions specified in the real estate purchase agreement and/or the resolution adopted by the Board of Trustees of The Ohio State University.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or the Board of Trustees of The Ohio State University without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate described in division (A) of this section is \$1,100,000, and such conveyance shall be pursuant to a real estate purchase agreement containing any terms and conditions acceptable to the Board of Trustees of The Ohio State University.

If GZD Investments LLC does not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, The Ohio State University may use any reasonable method of sale considered acceptable to the Board of Trustees of The Ohio State

University to select an alternate grantee or grantees to complete the purchase not later than three years after the effective date of this act. All advertising costs, additional fees, and other costs incidental to the sale of the real estate to an alternate grantee or grantees, shall be negotiated by The Ohio State University as specified in a real estate purchase agreement with the alternate grantee or grantees.

(D) The real estate described in division (A) of this section may be conveyed as an entire tract or as multiple parcels.

(E) All costs associated with the purchase, the closing, and the conveyance of the real property shall be paid by the grantee and The Ohio State University in the manner stated in the real estate purchase agreement.

The net proceeds of the sale shall be deposited into university accounts for purposes to be determined by the Board of Trustees of The Ohio State University.

(F) Upon adoption of a resolution by the Board of Trustees of The Ohio State University, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Franklin County Recorder.

(G) This section expires three years after its effective date.

SECTION 17. (A) The Governor may execute a deed in the name of the state conveying to Lennox Station Holdings LLC, an Ohio limited liability company, and to its successors and assigns, all of the state's right, title, and interest in the following described real estate:

The East Half of the

Alley west of Olentangy River Road and north of King Avenue

(0.055 Acre)

Situated in the State of Ohio, County of Franklin, Township of Clinton, and being the easterly half of a 20 foot wide alley of Joseph Berger's Subdivision, as the same is shown and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 221, Recorder's Office, Franklin County, Ohio, as vacated by the Franklin County Commissioners by Resolution No. 787-00 and on file in Road Record 28, Page 82 in the Offices of the Franklin County Engineer, said alley being more particularly described as follows:

Being a 20 foot wide alley bounded on the south by the northerly right-of-way line of a 10 foot wide alley of said subdivision, bounded on the west by the easterly lines of Lots No. 2 through No. 7 of said subdivision, bounded on the north by the northerly boundary line of said subdivision, and bounded on the east by the westerly line of Lot No.1 of said subdivision, containing 0.110 acres, more or less.

Said easterly half of the alley contains 0.055 acres, more or less.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance includes improvements situated on the real estate, and is subject to all

easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed for the conveyance of the real estate may contain restrictions, exceptions, reservations, reversionary interests, and other terms and conditions specified in the real estate purchase agreement entered into by the parties, and/or the resolution adopted by the Board of Trustees of The Ohio State University approving the sale.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or The Ohio State University without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate described in division (A) of this section is \$95,000.

The Ohio State University shall offer the real estate to the Lennox Station Holdings LLC through a real estate purchase agreement. If Lennox Station Holdings LLC does not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, the Director of Administrative Services may use any reasonable method of sale considered acceptable by The Ohio State University to determine an alternate grantee willing to complete the purchase not later than three years after the effective date of this section. The Ohio State University shall pay all advertising costs, additional fees, and other costs incident to the subsequent sale of the real estate.

(D) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(E) All costs associated with the purchase, the closing, and the conveyance of the real estate described in division (A) of this section shall be paid by the grantee and The Ohio State University, in the manner stated in the real estate purchase agreement.

The net proceeds of the sale shall be deposited into university accounts and used by the Board of Trustees of The Ohio State University for debt retirement only.

(F) Upon the effective date of this act, the Department of Administrative Services shall request the Auditor of State, with the assistance of the Attorney General, to prepare a deed for the conveyance of the real estate described in division (A) of this section. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Franklin County Recorder.

(G) This section expires three years after its effective date.

SECTION 18. (A) The Governor may execute a deed in the name of the state conveying to Carnegie Management and Development Corporation, an Ohio corporation, and to its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Parcel 1

Situated in the Township of Springfield, City of Mansfield, County of Richland, State of Ohio and being part of the southwest quarter of Section 12, Township 21 North, Range 19 West, and

being a portion of the property conveyed to State of Ohio (The Ohio State University) by Deed Volume 562, Page 211 of the Richland County Recorder's records, and being more particularly described as follows:

Beginning for the same at an iron pin set in the northeast corner of said southwest quarter;

Thence, the following FOUR courses:

1. South 00 degrees 18 minutes 06 seconds West, 520.08 feet along the east line of said quarter to an iron pin set;

2. South 88 degrees 47 minutes 12 seconds west, 925.90 feet to an iron pin found in the southeast corner of a parcel conveyed to 55 Lex-Springmill Inv. Ltd. by Official Record Volume 1107, Page 878;

3. North 00 degrees 19 minutes 03 seconds east, 520.08 feet along the east line of said 55 Lex-Springmill Inv. Ltd. Parcel to an iron pin set on the north line of said southwest quarter;

4. North 88 degrees 47 minutes 12 seconds east, 925.75 feet along said north line of said quarter to the Place of Beginning and containing 11.050 acres, more or less, and subject to all legal highways, easements, leases, reservations, and use restrictions of record.

According to survey by K.E. McCartney & Associates, Inc. made August, 2016.

Richland County Parcel No. 039-91-500-02-000

Parcel 2

Situated in the Township of Springfield, City of Ontario, County of Richland, State of Ohio and being part of the southwest quarter of Section 12, Township 21 North, Range 19 West, and being a portion of the property conveyed to State of Ohio (The Ohio State University) by Deed Volume 562, Page 211 of the Richland County Recorder's records, and being more particularly described as follows:

Commencing at an iron pin set in the northeast corner of said southwest quarter; thence, South 00 degrees 18 minutes 06 seconds West, 520.08 feet along the east line of said quarter to an iron pin set, the Place of Beginning of the parcel herein described:

Thence, the following FOUR courses:

1. South 00 degrees 18 minutes 06 seconds West, 887.04 feet along the east line of said quarter to an iron pin set on the former centerline of Walker Lake Road-(C.H. 164);

2. South 89 degrees 14 minutes 50 seconds West, 925.97 feet along the centerline of Walker Lake Road to a point in the southeast corner of a parcel conveyed to Charles L. Gilbert, Trustee U/A/W Charles L. Gilbert Living Revocable Trust dated 6/7/10 by Official Record Volume 2033, Page 476 and Marilyn A. Gilbert, Trustee U/A/W/ Marilyn A. Gilbert Living Revocable Trust dated 6/7/10 by Official Record Volume 2033, Page 472;

3. North 00 degrees 19 minutes 03 seconds East, 879.61 feet along the east line of said Gilbert Trust parcel to an iron pin found in the northeast corner thereof, and passing through an iron pin found for reference at 42.75 feet;

4. North 88 degrees 47 minutes 12 seconds East, 925.90 feet to the Place of Beginning and containing 18.772 acres, more or less, and subject to all legal highways, easements, leases, reservations, and use restrictions of record.

According to survey by K.E. McCartney & Associates, Inc. made August, 2016.

Richland County Parcel No. 038-60-500-61-000

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance includes the improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed or deeds may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions specified in the real estate purchase agreement and/or the resolution adopted by the Board of Trustees of The Ohio State University.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed or deeds may be released by the state or the Board of Trustees of The Ohio State University without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate described in division (A) of this section is \$417,508, and such conveyance shall be pursuant to a real estate purchase agreement containing any terms and conditions acceptable to the Board of Trustees of The Ohio State University.

If Carnegie Management and Development Corporation does not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, The Ohio State University may use any reasonable method of sale considered acceptable to the Board of Trustees of The Ohio State University to select an alternate grantee or grantees to complete the purchase not later than three years after the effective date of this section. All advertising costs, additional fees, and other costs incidental to the sale of the real estate to an alternate grantee or grantees shall be negotiated by The Ohio State University and specified in a real estate purchase agreement with the alternate grantee or grantees.

(D) The real estate described in division (A) of this section may be conveyed as an entire tract or as multiple parcels.

(E) All costs associated with the purchase, closing, and conveyance of the real estate shall be paid by the grantee or grantees and The Ohio State University in the manner stated in the real estate purchase agreement.

The net proceeds of the sale shall be deposited into university accounts for purposes to be determined by the Board of Trustees of The Ohio State University.

(F) Upon adoption of a resolution by the Board of Trustees of The Ohio State University, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed or deeds to the real estate described in division (A) of this section. The deed or deeds shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee or grantees. The grantee or grantees shall present the deed or deeds for recording in the Office of the Richland County Recorder.

(G) This section expires three years after its effective date.

SECTION 19. (A) Notwithstanding division (A)(5) of section 123.01 of the Revised Code, the

Director of Administrative Services may execute a perpetual easement in the name of the state granting to the City of Columbus, Ohio, and to its successors and assigns, a perpetual easement for sanitary sewer purposes burdening the following described real estate:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, being on, over, and across that 193 acre and 62 pole tract conveyed to State of Ohio (Ohio State University) by deed of record in Deed Book 103, Page 547 and that 32.093 acre tract of land conveyed to State of Ohio (Ohio State University) by deed of record Deed Book 602, Page 561, respectively, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a 3/4" solid iron pin in a monument box found in the centerline of right-of-way of King Avenue, located at King Avenue centerline station 20+00.00 as shown on Cannon Drive Centerline Plat of record in Plat Book __, Page _____;

thence North 86° 57' 16" West, with said centerline, a distance of 6.78 feet, to the centerline intersection of King Avenue with Street A (a private right-of-way) as shown on said Cannon Drive Centerline Plat, located at King Avenue centerline station 19+93.22 and Street A centerline station 10+00.00 as shown on said Cannon Drive Centerline Plat;

thence North 03° 10' 49" East, with the centerline of Street A, a distance of 30.00 feet, to the northerly right-of-way line of King Avenue;

thence North 86° 57' 16" West, with said northerly right-of-way line, a distance of 31.87 feet, to the True Point of Beginning;

thence North 86° 57' 16" West, continuing with said northerly right-of-way line, a distance of 75.43 feet, to a point;

thence crossing said State of Ohio (Ohio State University) tracts, the following courses and distances;

North 65° 48' 57" West, a distance of 113.10 feet to a point;

North 87° 09' 14" West, a distance of 191.16 feet to a point;

North 01° 10' 50" West, a distance of 360.52 feet to a point;

North 02° 58' 17" East, a distance of 197.58 feet to a point;

North 03° 14' 49" East, a distance of 258.02 feet to a point;

North 03° 06' 18" East, a distance of 334.05 feet to a point;

North 03° 36' 49" East, a distance of 282.00 feet to a point;

North 03° 07' 04" East, a distance of 308.57 feet to a point;

North 68° 33' 20" East, a distance of 108.14 feet to a point;

North 17° 58' 13" West, a distance of 77.82 feet to a point;

North 19° 07' 27" West, a distance of 229.82 feet to a point;

North 18° 52' 44" West, a distance of 230.37 feet to a point;

North 51° 13' 14" East, a distance of 61.96 feet to a point;

South 88° 00' 53" East, a distance of 320.39 feet to a point;

South 85° 15' 52" East, a distance of 133.54 feet to a point;

North 85° 26' 41" East, a distance of 176.73 feet to a point;

North 48° 13' 13" East, a distance of 63.47 feet to a point;

South 41° 46' 47" East, a distance of 30.00 feet to a point;
South 48° 13' 13" West, a distance of 73.57 feet to a point;
South 85° 26' 41" West, a distance of 189.27 feet to a point;
North 85° 15' 52" West, a distance of 135.26 feet to a point;
North 88° 00' 53" West, a distance of 308.52 feet to a point;
South 51° 13' 14" West, a distance of 29.77 feet to a point;
South 18° 52' 44" East, a distance of 209.26 feet to a point;
South 19° 07' 27" East, a distance of 230.06 feet to a point;
South 17° 58' 13" East, a distance of 106.35 feet to a point;
South 68° 33' 20" West, a distance of 117.10 feet to a point;
South 03° 07' 04" West, a distance of 289.43 feet to a point;
South 03° 36' 49" West, a distance of 282.00 feet to a point;
South 03° 06' 18" West, a distance of 333.95 feet to a point;
South 03° 14' 49" West, a distance of 257.98 feet to a point;
South 02° 58' 17" West, a distance of 196.42 feet to a point;
South 01° 10' 50" East, a distance of 331.48 feet to a point;
South 87° 09' 14" East, a distance of 168.84 feet to a point;
South 65° 48' 57" East, a distance of 123.09 feet to a point;
South 78° 59' 39" East, a distance of 61.14 feet to a point;
South 03° 02' 44" West, a distance of 17.95 feet to the True Point of Beginning, containing 2.387 acres, more or less.

The bearings shown on these plans were transferred from a field traverse originating from and tying to Franklin County Survey Control Monuments, including MORLAN and TACKETT, and is based on the Ohio State Plane Coordinate System, South Zone as per NAD 83. The portion of the centerline of King Avenue, having a bearing of South 86° 57' 16" East, is designated the "basis of bearing" for this plat.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

This description is based on an actual field survey performed by or under the direct supervision of John C. Dodgion, Registered Surveyor Number 8069 in March 2016.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the perpetual easement.

(B) The perpetual easement shall state the obligations of, and the duties to be observed and performed by, the City of Columbus, Ohio, with regard to the perpetual easement, and shall require the City of Columbus, Ohio, to assume perpetual responsibility for constructing, operating, maintaining, repairing, reconstructing, and replacing the sanitary sewer pipeline that will be located on the real estate.

(C) Consideration for granting the perpetual easement is \$1.

(D) The Director of Administrative Services, with the assistance of the Attorney General, shall prepare the perpetual easement document. The perpetual easement shall state the consideration and the terms and conditions for the granting of the perpetual easement. The perpetual easement shall be executed by the Director of Administrative Services in the name of the state, presented in the

Office of the Auditor of State for recording, and delivered to the City of Columbus, Ohio. The City of Columbus, Ohio, shall present the perpetual easement for recording in the Office of the Franklin County Recorder. The City of Columbus, Ohio, shall pay the recording costs and fees.

(E) This section expires three years after its effective date.

SECTION 20. (A) The Governor may execute a deed in the name of the state conveying to a selected Grantee or Grantees, their heirs, successors, and assigns, to be determined in the manner provided in division (C) of this section, all of the state's right, title, and interest in the following described real estate:

Situated in City of Athens, Athens Township, Athens County, State of Ohio

Being a 0.561 acre parcel of land located in Farm Lot 45, Section 10, Township 09 North, Range 14 West, Ohio Company Purchase, City of Athens, Athens Township, Athens County, State of Ohio and being inclusive of a residual 0.55 acre parcel as conveyed to Dwight H. Mutchler by a deed recorded in Volume 90 Page 139 of said county Deed Records and being more fully bounded and described as follows:

Beginning at an iron pin set in the easterly line of Columbia Avenue, a variable width right of way, and the southwesterly corner of aforesaid 0.561 acre parcel, from which for reference, the southwesterly corner of Farm Lot No. 45 bears the following three courses; S 30° 28' 35" W, 79.47 feet to a point; thence S 05° 27' 35" W, 189.50 feet to an iron pin found (5/8" rebar); thence N 84° 32' 25" W, 347.00 feet to a point being the southwesterly corner of said Farm Lot 45;

Course No. 1: Thence, N 30° 28' 35" E, being the basis of bearings of this description, with the westerly line of aforesaid 0.561 acre parcel and easterly line of said Columbia Avenue, 95.74 feet to an iron pin found (5/8" rebar), being the southwesterly corner of a 0.55 acre parcel as conveyed to Terry Conry and Joy Lynn John as recorded in Volume 41 Page 799 of said county Deed Records;

Course No. 2: Thence, S 50° 17' 25" E, with the southerly line of aforesaid 0.55 acre parcel, passing an iron pin found (5/8" rebar), at 176.60 feet for reference, a total distance of 276.60 feet to an iron pin found (5/8" rebar), being the southerly corner of a 0.49 acre parcel as conveyed to Peter Kramer & Barbara Fisher as recorded in Official Records Book 379 Page 359 of said county Deed Records;

Course No. 3: Thence, S 03° 34' 35" W, along the westerly line of a 1.140 acre parcel as conveyed to Emily Gurhans & Marc Singer as recorded in Official Record Book 409 Page 1982 of said county Deed Records, 85.19 feet to an iron pin set, being the northeasterly corner of a 1.39 acre parcel as conveyed to Michael & Helen Keyes as recorded in Official Record Book 284 Page 1568 of said county Deed Records;

Course No. 4: Thence, N 55° 00' 25" W, with the northerly line of aforesaid 1.39 acre parcel, 312.53 feet to an iron pin set, being the Point of Beginning, containing 0.561 acres, more or less, and being subject to all legal rights of way and easements of record.

All iron pins set being 5/8" x 30" rebar with plastic cap stamped "Buckley Group 04153".

Description prepared by Ryan D. Buckley from a field survey in April 2014, under the direct supervision of Thomas E. Snyder, Professional Surveyor No. PS 6651.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance shall include the improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed for the conveyance of the real estate may contain restrictions, exceptions, reservations, reversionary interests, and other terms and conditions the Director of Administrative Services determines to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or Ohio University without the necessity of further legislation.

(C) The Director of Administrative Services shall conduct a sale of the real estate by sealed bid auction or public auction, and the real estate shall be sold to the highest bidder at a price acceptable to the Director of Administrative Services and Ohio University. The Director of Administrative Services shall advertise the sealed bid auction or public auction by publication in a newspaper of general circulation in Athens County, once a week for three consecutive weeks before the date on which the sealed bids are to be opened or the public auction occurs. The Director of Administrative Services may reject any or all bids. The Director of Administrative Services shall notify the successful bidder in writing.

The purchaser shall pay ten percent of the purchase price to the Director of Administrative Services not later than five business days after receiving the notice the bid has been accepted and shall enter into a real estate purchase agreement, in the form prescribed by the Department of Administrative Services. Payment may be made in cash or certified check made payable to the Treasurer of State. The purchaser shall pay the balance of the purchase price to the Director at closing. A purchaser who does not complete the conditions of the sale as prescribed in this division shall forfeit the ten percent of the purchase price paid to the state as liquidated damages. If a purchaser fails to complete the purchase, the Director of Administrative Services may accept the next highest bid, subject to the foregoing conditions. If the Director of Administrative Services rejects all bids, the Director of Administrative Services may repeat the sealed bid auction or public auction, or may use an alternative sale process that is acceptable to Ohio University. Any subsequent costs attributed to the marketing of a secondary sale process shall be the responsibility of Ohio University.

(D) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(E) Except as otherwise specified in this section, the purchaser shall pay all costs associated with the purchase, closing, and conveyance, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

The net proceeds of the sale of the real estate shall be paid to Ohio University and deposited into the Ohio University Endowment Fund.

(F) Upon notice received from the Director of Administrative Services, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration and shall be executed by the

Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Athens County Recorder.

(G) This section expires three years after its effective date.

SECTION 21. (A) The Governor may execute a deed in the name of the state conveying to Children's Hospital Medical Center, an Ohio nonprofit corporation ("Grantee"), and to its successors and assigns, or to an alternate grantee or grantees as set forth below in division (C) of this section, all of the state's right, title, and interest in the following described real estate:

Situated in Section 14, Town 3, Fractional Range 2, BTM, City of Cincinnati, Hamilton County, Ohio and being part of an 18.008 acre tract of land as depicted on P.B. 453, Pg. 78 and recorded in O.R. 13231, Pg. 206 of the Hamilton County, Ohio Recorder's Office, the boundary of which being more particularly described as follows:

Beginning at a magnail found at the southeast corner of Lot 167 of Mt. Auburn and Avondale Syndicate Subdivision as recorded in P.B. 8, Volume 1, Page 44;

Thence along the east line of said Lot 167, N06°11'54"E a distance of 150.26 feet to a cross notch found in the south right of way line of Erkenbrecher Avenue;

Thence along said south right of way line, S84°17'10"E a distance of 50.00 feet to a pipe found at the northwest corner of Lot 165 of the aforementioned Mt. Auburn and Avondale Syndicate Subdivision;

Thence along the west line of said Lot 165, S06°11'54"W a distance of 150.22 feet to the southwest corner of said Lot 165, witness a pipe found lying 0.7 feet north;

Thence along the south line of said subdivision, S84°19'38"E a distance of 190.82 feet to a 5/8" iron pin found at the northwest corner of a 6.259 acre (deed) tract of land conveyed to Children's Hospital Medical Center in D.B. 3922, Pg. 86;

Thence along the east line of said 6.259 acre (deed) tract of land, S06°11'02"W a distance of 290.59 feet to a 5/8" iron pin set;

Thence along new division lines the following three (3) courses:

1. N82°32'20"W a distance of 154.29 feet to a magnail set;

2. N33°29'17"W a distance of 160.84 feet to a magnail set;

3. N84°21'04"W a distance of 113.14 feet to a magnail set in the east terminus of Louis Avenue;

Thence in part along said east terminus and along the east line of Lot 7 of the Subdivision of Andrew McMillan's 80 Acre Tract as recorded in P.B. 14, Pg. 29, N06°05'45"E a distance of 161.10 feet to a pipe found in the south line of the aforementioned Mt. Auburn and Avondale Syndicate Subdivision;

Thence along said south line, S84°19'38"E a distance of 129.52 feet to the Point of Beginning.

Containing 2.138 acres of land more or less and being subject to easements, restrictions and rights of way of record.

Bearings are based on the Ohio State Plane Coordinates-South Zone as shown on a

topographic survey performed by Clifton Engineering- "UC Kettering North Wing" dated June 1, 2010 with a project # of 10002.

The above description is based on a field survey performed by The Kleingers Group under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance includes the improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed or deeds may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions the Director of Administrative Services and the Board of Trustees of the University of Cincinnati determine to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or the Board of Trustees of the University of Cincinnati without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate described in division (A) of this section is \$1,900,000.

If Children's Hospital Medical Center does not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, the Director of Administrative Services and the Board of Trustees of the University of Cincinnati may use any reasonable method of sale considered acceptable by the Board of Trustees of the University of Cincinnati to select an alternate grantee or grantees to complete the purchase not later than three years after the effective date of this section. All advertising costs, additional fees, and other costs incidental to the sale of the real estate to an alternate grantee or grantees, shall be negotiated by the University of Cincinnati as specified in a real estate purchase agreement with the alternate grantee or grantees.

(D) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(E) The grantee shall pay all costs associated with the purchase, closing, and conveyance, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

The net proceeds of the sale shall be deposited into university accounts for purposes to be determined by the Board of Trustees of the University of Cincinnati.

(F) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the Grantee. The grantee shall present the deed for recording in the Office of the Hamilton County Recorder.

(G) This section expires three years after its effective date.

SECTION 22. (A) The Governor may execute a deed in the name of the state conveying to UC Health, LLC, an Ohio nonprofit corporation ("Grantee"), and to its successors and assigns, or to an alternate grantee or grantees as set forth below in division (C) of this section, all of the state's right, title, and interest in the following described real estate:

Situated in Section 14, Town 3, Fractional Range 2, BTM, City of Cincinnati, Hamilton County, Ohio, being all of the land depicted on P.B. 453, Pg. 77 and recorded in O.R. 13231, Pg. 205 of the Hamilton County, Ohio Recorder's Office, the boundary of which being more particularly as follows:

Beginning at a cross notch set at the intersection of the east right of way line of Bellevue Avenue with the south right of way line of Piedmont Avenue;

Thence along said south right of way line, S83°59'01"E a distance of 348.94 feet to the intersection of said south right of way line with the west right of way line of Highland Avenue, said point being witnessed by a cross notch lying North 7.0 feet and West 0.1 feet and a cross notch lying North 0.1 feet and West 7.1 feet;

Thence along said west right of way line S05°54'55"W a distance of 175.36 feet to a cross notch set at the intersection of said west right of way line with the north right of way line of Martin Luther King Jr. Drive;

Thence along said north right of way line, N83°58'40"W a distance of 349.68 feet to a cross notch set at the intersection of said north right of way line with the aforementioned east right of way line of Bellevue Avenue;

Thence along said east right of way line, N06°09'20"E a distance of 175.32 feet to the point of beginning.

Containing 1.406 acres, more or less and being subject to easements, restrictions and rights of way of record.

Bearings are based on Ohio State Plane Coordinates-South Zone.

The above description is based on a field survey performed by the Kleingers Group under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance includes the improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed or deeds may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions the Director of Administrative Services and the Board of Trustees of the University of Cincinnati determine to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or the Board of Trustees of the University of Cincinnati without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate is \$1,800,000.

If UC Health, LLC does not complete the purchase of the real estate within the time period

provided in the real estate purchase agreement, the Director of Administrative Services and the Board of Trustees of the University of Cincinnati may use any reasonable method of sale considered acceptable by the Board of Trustees of the University of Cincinnati to select an alternate grantee or grantees to complete the purchase not later than three years after the effective date of this section. All advertising costs, additional fees, and other costs incidental to the sale of the real estate to an alternate grantee or grantees shall be negotiated by the University of Cincinnati as specified in a real estate purchase agreement with the alternate grantee or grantees.

(D) The real estate shall be sold as an entire tract and not in parcels.

(E) Except as otherwise specified in this section, the grantee shall pay all costs associated with the purchase, closing, and conveyance, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

The net proceeds of the sale shall be deposited into university accounts for purposes to be determined by the Board of Trustees of the University of Cincinnati.

(F) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Hamilton County Recorder.

(G) This section expires three years after its effective date.

SECTION 23. (A) The Governor may execute a deed in the name of the state conveying to Charles H. Staples and Margaret A. Staples, husband and wife, and to their heirs and assigns, all of the state's right, title, and interest in the following described real estate:

Parcel No. 1

Situated in the City of Youngstown, County of Mahoning and State of Ohio and known as being the west Twenty-Five (25) feet of City Lot Six Hundred Fifty-Five (655) as lots are now numbered in said City, as shown by a Plat recorded in Volume 1 of Plats, Page 91, Mahoning County Records.

Said west part of said lot Six Hundred Fifty-Five (655) has a frontage of Twenty-Five (25) feet on the north line of West Rayen Avenue and extends back of even width, One Hundred Fifty (150) feet and is Twenty-Five (25) feet wide in the rear.

Permanent Parcel No.: 53-003-0-090.00

Parcel No. 2

Situated in the City of Youngstown, County of Mahoning and State of Ohio and known as Youngstown City Lot Number One Thousand Four Hundred Ninety-Three (1493) according to the latest enumeration of lots in said City as recorded in Volume 1 of Plats, Page 91, Mahoning County Records.

Said lot has a frontage of Twenty-Five (25) feet on the north line of West Rayen Avenue and extends of even width One Hundred Fifty (150) feet and is Twenty-Five feet wide in the rear.

Permanent Parcel No.: 53-003-0-089.00

Parcel No. 3

Situated in the City of Youngstown, County of Mahoning and State of Ohio, and known as being a part of Youngstown City Lot No. 1849 according to the latest enumeration of lots in said City, as recorded in Volume 4 of Plats, Page 14, Mahoning County Records, and more particularly bounded and described as follows:

Beginning at the southwest corner of Youngstown City Lot No. 1849, said point also being the southeast corner of Youngstown City Lot No. 1916; thence northerly along the west line of said Lot No. 1849 a distance of 50 feet to a point; thence easterly and parallel to the southerly line of Lincoln Avenue a distance of 25 feet to a point; thence southerly along a line parallel to the west line of said Lot No. 1849 a distance of 50 feet to a point on the southerly line of said Lot No. 1849, thence westerly along the southerly line of said Lot No. 1849 a distance of 25 feet to the point of beginning, be the same more or less, but subject to all legal highways.

Permanent Parcel No.: 53-003-0-199.00

The foregoing legal descriptions may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance from the state to the Grantee includes all improvements currently situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record: all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions the Director of Administrative Services determines to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or Youngstown State University without the necessity of further legislation.

(C) As consideration for the conveyance of the state real estate, Charles H. Staples and Margaret A. Staples shall convey to the State of Ohio, for the use and benefit of Youngstown State University, the following described real estate:

Situated in the City of Youngstown, County of Mahoning and State of Ohio and known as being Youngstown City Lot 3263 according to the latest enumeration of lots in said city recorded in Plat Volume 3, Page 7, be the same more or less.

Parcel Number 53-005-0-416.00-0

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

The Director of Administrative Services and Charles H. Staples and Margaret A. Staples, shall execute a real estate purchase agreement in a form prescribed by the Department of Administrative Services setting forth the terms and conditions of the subject land exchange. If Charles H. Staples and Margaret A. Staples do not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, the Director of Administrative Services may use any reasonable method of sale considered acceptable by the President of Youngstown State University to convey the state-owned real estate to an alternate grantee not later than three years after

the effective date of this section.

(D) The real estate described in division (A) of this section may be conveyed as multiple parcels.

(E) Grantee shall pay all costs associated with the purchase, closing, and conveyance of the subject real estate, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

(F) The Auditor of State, with the assistance of the Attorney General, shall prepare a deed conveying the real estate described in division (A) of this section to the grantee. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Mahoning County Recorder.

(G) This section expires three years after its effective date.

SECTION 24. (A) The Governor may execute a deed in the name of the state conveying to Oak Openings Region Conservancy, Inc., an Ohio not-for-profit corporation, and to its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Description of 17.096 Acres

Being part of Lots 1, 2, 3 and 4 in Thayer's Addition to Garden Land, a subdivision in Springfield Township, Lucas County, Ohio which is bounded and described as follows:

Commencing at a set nail on the south line of Lot 4 at the southwest corner of Lot 4 in said Thayer's Addition to garden Land also being the centerline of Dorr Street and the south line of Fractional Section 32 a distance of 1323.96 feet west of a found bolt located at the southeast corner of Lot 1 also being the southeast corner of Fractional Section 32,

Thence North 01° 00' 45" East along the west line of said lot 4 a distance of 276.00 feet to a set 5/8 inch dia. iron rod passing a set 5/8 in dia. iron rod at 30.01 feet to the Point of Beginning;

Thence North 01° 00' 45" East continuing along the west line of said Lot 4 a distance of 749.66 feet to a set 5/8 inch dia. iron rod on the north line of the south ½ of said Lots 1, 2, 3 and 4;

Thence South 89° 58' 57" East along the north line of the south ½ of said Lots 1, 2, 3 and 4 a distance of 1324.80 feet to a set nail on the east line said Lot 1 also being the centerline of King Road and the east line of Fractional Section 32 passing a 5/8 inch dia. iron rod at 1294.80 feet;

Thence South 01° 03' 40" West along the east line of said Lot 1 a distance of 30.00 feet to a set nail;

Thence North 89° 58' 57" West parallel to the north line of the south ½ of said Lots 1, 2, 3 and 4 a distance of 485.08 feet to a set 5/8 inch dia. iron rod passing a set 5/8 inch dia. iron rod at 30.00 feet;

Thence South 01° 03' 40" West a distance of 228.31 feet to a set 5/8 inch dia. iron rod;

Thence South 88° 56' 20" East a distance of 268.57 feet to a set 5/8 inch dia. iron rod;

Thence South 28° 33' 50" East a distance of 73.04 feet to a set 5/8 inch dia. iron rod;

Thence South 08° 57' 37" West a distance of 390.92 feet to a set 5/8 inch dia. iron rod;

Thence South 11° 07' 18" East a distance of 100.90 feet to a set 5/8 inch dia. iron rod;

Thence South 00° 00' 00" West a distance of 32.70 feet to a set 5/8 inch dia. iron rod on the

north top of bank of Heldman Ditch;

Thence North 87° 19' 59" West along the north top of bank of Heldman Ditch a distance of 288.56 feet to a set 5/8 inch dia. iron rod;

Thence north 30° 47' 15" West a distance of 46.51 feet to a set 5/8 inch dia. iron rod;

Thence North 01° 45' 38" west a distance of 45.34 feet to a set 5/8 inch dia. iron rod;

Thence South 82° 09' 33" West a distance of 40.89 feet to a set 5/8 inch dia. iron rod;

Thence South 52° 17' 43" West a distance of 70.84 feet to a set 5/8 inch dia. iron rod;

Thence North 88° 54' 49" West a distance of 68.93 feet to a set 5/8 inch dia. iron rod;

Thence North 01° 02' 13" East a distance of 72.90 feet to a set 5/8 inch dia. iron rod;

Thence North 88° 57' 47" West a distance of 33.00 feet to a set 5/8 inch dia. iron rod;

Thence North 58° 29' 58" West a distance of 241.20 feet to a set 5/8 inch dia. iron rod;

Thence North 01° 02' 13" East a distance of 94.00 feet to a set 5/8 inch dia. iron rod;

Thence North 88° 57' 47" West a distance of 177.00 feet to a set 5/8 inch dia. iron rod;

Thence South 01° 02' 13" West a distance of 164.00 feet to a set 5/8 inch dia. iron rod;

Thence North 88° 57' 47" West a distance of 78.00 feet to a set 5/8 inch dia. iron rod;

Thence South 21° 02' 24" East a distance of 111.78 feet to a set 5/8 inch dia. iron rod;

Thence South 01° 02' 13" West a distance of 37.47 feet to a set 5/8 inch dia. iron rod;

Thence North 87° 19' 59" West a distance of 32.08 feet to a set 5/8 inch dia. iron rod;

Thence North 70° 38' 09" West a distance of 153.82 feet to the point of beginning.

Containing 17.129 Acres of land more or less of which 0.021 Acres is within the Right of Way of King Road.

Excepting therefrom the following two (2) parcels:

EXCEPTION #1

PARCEL 2-WD

LUCAS COUNTY ~ KING RD (RELOCATION) AT DORR ST

Part of Lot 1 in Thayer's Addition to Garden Land as recorded in Vol. 5, Pg. 31 of Plats and also located in fractional Section 32, Town 9 South, Range 6 East, Springfield Township, Lucas County, Ohio. Being bounded and described as follows:

Commencing at the Southeast corner of Lot 1 of said Thayer's Addition to Garden Land, also being the Southeast corner of fractional Section 32, Town 9 South, Range 6 East, being ½ inch bar in a found monument box at the intersection of Dorr Street with King Road (to the north), and being station 102+43.51, 0.58' Rt. On the Dorr Street baseline and station 20+00.00 on the king road baseline;

Thence, South 89° 34' 56" West along the north line of Section 4, town 2, United States Reserve, a distance of 178.98 feet to a set county monument in a monument boxset at the intersection of the centerline of R/W of King Road Relocated, also being 0.16 feet right of station 100+64.53 on the Dorr Street baseline;

Thence, North 00° 25' 03" West, along the centerline of R/W of King Road Relocated, a distance of 121.40 feet to a set county monument in a monument box set, at a point curvature of a tangent curve, also being station 41+21.40;

Thence, northeasterly along a curve to the right, a distance of 57.46 feet to the intersection of an existing property line and the extension of the grantors southerly property line, said curve having a

delta angle of $10^{\circ} 58' 24''$, a radius of 300.00', a chord distance of 57.37, and a chord bearing of North $05^{\circ} 04' 10''$ East, also being station 41+78.86 on the centerline of R/W of King Road Relocated;

Thence, North $87^{\circ} 20' 24''$ West, along the extension of the grantors southerly property line a distance of 34.14 feet to the southeast corner of the grantors property, being the POINT OF BEGINNING, also being 33.85 feet left of station 41+74.64 on the centerline of R/W of King Road Relocated;

Thence, continuing North $87^{\circ} 20' 24''$ West, along the grantors southerly property line, a distance of 24.047 feet to a set bar 58.15 feet left of station 41+72.11;

Thence North $04^{\circ} 40' 12''$ East, a distance of 11.00 feet to a set bar, 59.19 feet left of station 41+81.27;

Thence North $15^{\circ} 51' 22''$ east, a distance of 22.42 feet to a set bar 58.00 feet left of station 42+00.00;

Thence North $28^{\circ} 51' 31''$ East, a distance of 26.30 feet to the intersection of the grantors easterly property line, and a set bar, 52.44 feet left of station 42+21.72;

Thence South $11^{\circ} 07' 43''$ East, along the grantors easterly property line a distance of 24.46 feet to a point 40.92 feet left of station 42+03.04;

Thence South $00^{\circ} 00' 25''$ East, a distance of 32.70 feet back to the POINT OF BEGINNING. Said described tract containing 0.021 acre (917 square feet), more or less.

Part of Auditors Parcel No. 65-55257.

Prior Deed Reference; 20040304-00160055.

This description was prepared by Dennis Pritscher, P.S. #7190, of the Lucas County Engineers Office, in December 2012, based plans prepared in this office.

The basis of bearings is grid North, state plane coordinate system, Ohio, north zone (3401), NAD83(2007).

All "set bars" are 5/8" diameter x 30" long rebar with a 2" diameter aluminum cap, stamped "Lucas County Engineer Office".

EXCEPTION #2

PARCEL 2-CH

LUCAS COUNTY ~ KING RD (RELOCATION) AT DORR ST

Part of Lot 1 in Thayer's Addition to Garden Land as recorded in Vol. 5, Pg. 31 of Plats and also located in fractional Section 32, Town 9 South, Range 6 East, Springfield Township, Lucas County, Ohio. Being bounded and described as follows:

Commencing at the Southeast corner of Lot 1 of said Thayer's Addition to Garden Land, also being the Southeast corner of fractional Section 32, Town 9 South, Range 6 East, being 1/2 inch bar in a found monument box at the intersection of Dorr Street with King Road (to the north), and being station 102+43.51, 0.58' Rt. On the Dorr Street baseline and station 20+00.00 on the king road baseline;

Thence, South $89^{\circ} 34' 56''$ West along the north line of Section 4, town 2, United States Reserve, a distance of 178.98 feet to a set county monument in a monument boxset at the intersection of the centerline of R/W of King Road Relocated, also being 0.16 feet right of station 100+64.53 on the Dorr Street baseline;

Thence, North 00° 25' 03" West, along the centerline of R/W of King Road Relocated, a distance of 121.40 feet to a set county monument in a monument box set, at a point curvature of a tangent curve, also being station 41+21.40;

Thence, northeasterly along a curve to the right, a distance of 57.46 feet to the intersection of an existing property line and the extension of the grantors southerly property line, said curve having a delta angle of 10° 58' 24", a radius of 300.00', a chord distance of 57.37, and a chord bearing of North 05° 04' 10" East, also being station 41+78.86 on the centerline of R/W of King Road Relocated;

Thence, North 87° 20' 24" West, along the extension of the grantors southerly property line and then the southerly property line a distance of 58.61 feet to a set bar and the POINT OF BEGINNING, also being 58.15 feet left of station 41+72.11 on the centerline of R/W of King road Relocated;

Thence, continuing North 87° 20' 24" West, along the grantors southerly property line a distance of 52.75 feet to a point 110.59 feet left of station 41+67.68;

Thence North 00° 54' 58" East, a distance of 9.37 feet to a point 111.92 feet left of station 41+74.44;

Thence South 89° 05'02" East, a distance of 53.45 feet to a set bar 59.19 feet left of station 41+81.27;

Thence South 04° 40' 12" West, a distance of 11.00 feet back to the POINT OF BEGINNING.

Said described tract containing 0.012 acre (540 square feet), more or less.

Part of Auditors Parcel No. 65-55257.

Prior Deed Reference; 20040304-00160055.

This description was prepared by Dennis Pritscher, P.S. #7190, of the Lucas County Engineers Office, in December 2012, based plans prepared in this office.

The basis of bearings is grid North, state plane coordinate system, Ohio, north zone (3401), NAD83(2007).

All "set bars" are 5/8" diameter x 30" long rebar with a 2" diameter aluminum cap, stamped "Lucas County Engineer Office".

Parent Parcel (17.129 Ac) less exceptions (0.021 Ac & 0.012 Ac) = 17.096 Acres

Auditors Parcel No. 65-55257.

Prior Deed Reference; 20130114-0002069.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B) The real estate described in division (A) of this section shall be conveyed to Oak Openings Region Conservancy, Inc. at a consideration of \$1 in accordance with, and subject to, the terms of the July 23, 2012, Consent Order entered in the case of State of Ohio, ex rel. Michael DeWine, Attorney General of Ohio v. Kings Crossing North LLC, et al., Case No. G-4801-CI-200904585-000 (Ct. of Common Pleas, Lucas County, Ohio). Additionally, such real estate shall be conveyed subject to all easements, covenants, conditions, and restrictions of record; all legal highways; zoning, building, and other laws, ordinances, restrictions and regulations; and real estate taxes and assessments not yet due and payable.

(C) The deed to the real estate shall contain any restrictions, covenants, terms and conditions required by the Consent Order noted in division (B) of this section and as may be determined by the Director of Administrative Services and the Director of Environmental Protection to be in the best interest of the state, including holding grantee responsible for all ongoing maintenance of the real estate described in division (A) of this section as well as the cost and labor of upkeep of the fence as required in the Consent Order noted in division (B) of this section.

(D) Before the execution of the deed described in division (E) of this section, possession of the real estate described in division (A) of this section shall remain with the Department of Administrative Services on behalf of the Environmental Protection Agency.

(E) The Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Lucas County Recorder.

(F) The grantee shall pay all closing costs including the costs of the conveyance of the real estate described in division (A) of this section, and the recording costs of the deed.

(G) This section expires three years after its effective date.

SECTION 25. (A) The Governor may execute a deed in the name of the state conveying to the Board of County Commissioners of Clark County, Ohio, and to its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Description of 2.82 Acres

Situated in the State of Ohio, County of Clark, Township of Springfield, and described as follows:

Being part of the northwest quarter of Section 3, Township 5, Range 9, and part of the northeast quarter of Section 9, Township 5, Range 9, between the Miami Rivers Survey.

Beginning at a point in the centerline of the Laybourne Road, North 85° 27' West, 370.0 feet from the intersection of said centerline with the centerline of State Route 70 (Springfield and Washington C.H. Road);

Thence, with the centerline of Laybourne Road, North 85° 57' West, 650.0 feet;

Thence, North 29° 46' East, 248.63 feet to a pipe;

Thence, North 54° 27' East, 180.0 feet to a pipe;

Thence, South 80° 33' East, 134.22 feet to a pipe;

Thence, South 35° 33' East, 423.24 feet to the place of beginning, containing 3.20 Acres.

Excepting therefrom:

Situated in the Township of Springfield, County of Clark, State of Ohio, and in Sections 3 and 9, Town 5 East, Range 9 North, and bounded and described as follows:

PARCEL NO. 12 WL

Being part of the northwest quarter of Section 3 and part of the northeast quarter of Section 9 and a triangular shaped piece off the southeast corner of the Grantor's tract in Section 3 and more completely described as follows:

Beginning at the Grantor's southeast corner, said point being on the half section line and

185.90 feet left of Station 959+57.98 on the centerline of U.S. 40 and bearing N. 84° 15' 10" W., 223.76 feet from the intersection of the half section line with the centerline of U.S. 40 at Station 960+82.52;

Thence, N. 84° 15' 10" W., 189.30 feet along the Grantor's south line and half section line to a point 342.77 feet radially left of Station 958+48.47 and passing 245.84 feet left of P.T. Station 959+17.82;

Thence, N. 4° 53' 59" E., 233.11 feet to a point on the Grantor's east line 475.76 feet left of Station 960+44.34;

Thence S. 33° 50' 30" E., 302.45 feet along the Grantor's east line to the point of beginning.

Contains 0.38 acres, more or less, excluding 0.12 acres of right-of-way previously occupied by Laybourne Road.

Said stations being station number as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

Prior Deed Reference: Vol. 452 Pg. 645

Auditor's Parcel Number: 30507000090001024

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance from the state to the grantee includes all improvements and chattels currently situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions the Director of Administrative Services determines to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or the Ohio Adjutant General's Department without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate described in division (A) of this section is \$125,000.

The Director of Administrative Services and the Board of County Commissioners of Clark County, Ohio, shall execute a real estate purchase agreement in a form prescribed by the Department of Administrative Services setting forth the terms and conditions of the subject conveyance. If the Board of County Commissioners of Clark County, Ohio, does not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, the Director of Administrative Services may use any reasonable method of sale considered acceptable by the Ohio Adjutant General's Department to convey the real estate to an alternate grantee not later than three years after the effective date of this section.

(D) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(E) Grantee shall pay all costs associated with the purchase, closing, and conveyance of the real estate, including surveys, title evidence, title insurance, transfer costs and fees, recording costs

and fees, taxes, and any other fees, assessments, and costs that may be imposed in connection with this conveyance.

The net proceeds of the sale shall be deposited into the state treasury to the credit of the Armory Improvements Fund in accordance with section 5911.10 of the Revised Code.

(F) Upon receipt of written notice from the Director of Administrative Services, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed conveying title to the real estate described in division (A) of this section to the grantee. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Clark County Recorder.

(G) This section expires three years after its effective date.

SECTION 26. (A) The Governor may execute a deed in the name of the state conveying to the Gallia County Board of Commissioners or another grantee to be determined ("Grantee"), and its heirs, and to its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Begin at an angle point in the right-of-way of Ohio Ave, said point being 27.23 feet distant from and on an extension of the northeast line of Lot 1 of Colonial Subdivision Number 2 (P.B. 3, Pg. 24), and being 0.50 feet from the edge of pavement as referenced in Deed Volume 384, Page 477, thence, northwesterly, along the northeast line of said Colonial Subdivision Number 2, 480 feet+/- to an angle point in a 30 feet wide street, thence, northerly, along said 30 feet wide street, 80 +/- feet to a point about 1 foot north of a line of large trees, thence, northeasterly, running about 1 foot north of a line of large trees, 595 feet +/-, to a point where a line 0.50 feet distant from, and parallel to the east edge of sidewalk line of West Avenue intersects, thence, southeasterly along a line 0.50 feet distant from, and parallel to the east edge of sidewalk line of West Avenue, 330 feet +/- to a point of curvature in said parallel line, thence with a curve to the left, along a line 0.50 feet distant from, and parallel to the east edge of pavement line of West Avenue to a point 0.50 feet west of the edge of the pavement on the west side of Buckeye Avenue thence, southerly on a line 0.50 feet distant from and parallel to the west edge of pavement of Buckeye Avenue to a point on the north side of Ohio Avenue as referenced in Deed Volume 384, Page 477, thence along the north side of Ohio Avenue to the beginning and containing approximately 7.7 acres. All references are to records found in the offices of the Gallia County Recorder.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance includes improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record: all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions the Director of Administrative Services determines to be in the best

interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or the Department of Developmental Disabilities without the necessity of further legislation.

(C) Consideration for the conveyance of the real estate described in division (A) of this section is \$1.

The Director of Administrative Services shall offer the real estate to the Gallia County Board of Commissioners, or other grantee, through a real estate purchase agreement. If the Board of County Commissioners of Gallia County, Ohio, or other grantee, does not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, the Director of Administrative Services may use any reasonable method of sale considered acceptable by the Department of Developmental Disabilities to determine an alternate grantee or grantees willing to complete the purchase not later than three years after the effective date of this section. In that case, consideration for the conveyance of the real estate shall be at a price acceptable to the Director of Administrative Services and the Director of Developmental Disabilities. The Department of Developmental Disabilities shall pay all advertising costs, additional fees, and other costs incident to the sale of the real estate to an alternate grantee or grantees.

(D) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(E) Except as otherwise specified in this section, grantee shall pay all costs associated with the purchase, closing, and conveyance of the real estate, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

The net proceeds of the sale shall be deposited into the state treasury to the credit of the Mental Health Facilities Improvement Fund (Fund 7033) or another fund designated by the Director of Budget and Management.

(F)(1) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Gallia County Recorder.

(2) The intent of this conveyance is for the grantee to use the real estate for mental health and addiction treatment; therefore, the deed shall contain a restriction stating that if the real estate described in division (A) of this section is no longer being used for mental health and addiction purposes, the real estate described in division (A) of this section shall revert back to the State of Ohio at the sole discretion of the Director of Administrative Services and the Department of Developmental Disabilities, at the purchase price of the real estate described in division (A) of this section.

(G) This section expires three years after its effective date.

SECTION 27. (A) The Governor may execute a deed in the name of the state conveying to a

purchaser or purchasers, and to their heirs, successors, and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the State of Ohio, County of Mahoning and Township of Austintown and being Lot Number 6 (six) in Countryside Development Plat No. 1, a part of the original Austintown Township, Tract 10, as shown and delineated upon the recorded Plat thereof in Volume 80, Page 95, Recorder's Office Mahoning County, Ohio.

Mahoning County Parcel #: 48-132-0-043.00-0

Prior Instrument: OR Vol. 3478 Pg. 113-114

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance includes improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in "as-is, where-is, with all faults" condition.

(2) The deed for the conveyance of the real estate may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions the Director of Administrative Services and the Director of Rehabilitation and Correction determine to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or the Department of Rehabilitation and Correction without the necessity of further legislation.

(C) The Director of Administrative Services shall conduct a sale of the real estate by sealed bid auction, and the real estate shall be sold to the highest bidder at a price acceptable to the Director of Administrative Services and the Director of Rehabilitation and Correction. The Director of Administrative Services shall advertise the sealed bid auction by publication in a newspaper of general circulation in Mahoning County once a week for three consecutive weeks before the date on which the sealed bids are to be opened. The Director of Administrative Services shall notify the successful bidder in writing. The Director of Administrative Services may reject any or all bids.

The purchaser shall pay ten percent of the purchase price to the Director of Administrative Services not later than five business days after receiving notice that the bid has been accepted, and pay the balance of the purchase price to the Director not later than sixty days after receiving notice that the bid has been accepted. The Director and purchaser shall enter into a real estate purchase agreement, in the form prescribed by the Department of Administrative Services. Payment may be made in cash or certified bank check made payable to the Treasurer of State. A purchaser who does not complete the conditions of the sale as prescribed in this division shall forfeit as liquidated damages the ten percent of the purchase price paid to the state. If a purchaser fails to complete the purchase of the real estate, the Director of Administrative Services may accept the next highest bid, subject to the foregoing conditions. If the Director of Administrative Services rejects all bids, the Director may repeat the sealed bid auction, or may use an alternative sale process that is acceptable to the Department of Rehabilitation and Correction.

The Department of Rehabilitation and Correction shall pay all advertising costs incident to

the sale of the real estate.

(D) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(E) Purchaser shall pay all costs associated with the purchase, closing, and conveyance of the real estate, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed but excluding the costs set forth in division (C) of this section.

The net proceeds of the sale shall be deposited into the state treasury to the credit of the Adult and Juvenile Correctional Facilities Bond Retirement Fund created under section 5120.092 of the Revised Code and shall be used for debt retirement only.

(F) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed conveying the real estate described in division (A) of this section to the purchaser. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the purchaser. The purchaser shall present the deed for recording in the Office of the Mahoning County Recorder.

(G) This section expires three years after its effective date.

SECTION 28. (A) The Governor may execute a deed in the name of the state conveying to Ohio Power Company or its affiliates ("Grantee"), and to its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the State of Ohio, County of Ross, Township of Union, containing a portion of the lands conveyed to The State of Ohio for the benefit of the Department of Rehabilitation and Correction, as recorded in Official Record 228, Page 2578, (Parcel No. 37-0915151.600), all references contained herein are to Ross County Recorder's records, Ross County, Ohio and being more particularly bounded and described as follows:

Beginning at a 5/8 inch Iron Pin and Cap found at the northerly corner of a 0.498 Acre tract and on the westerly line of a 22.976 Acre tract, both parcels conveyed to The Ohio Department of Transportation as recorded in Official Record 365, Page 1308, said point also being intersection of the northerly Right of Way line of Moundsville Road and the westerly Right of Way line of State Route 104;

thence, S 63°05'41"W, 446.04' with the northerly line of Moundsville Road to a 5/8 inch Iron Pin and Cap found at the southwesterly corner of said 0.498 Acre tract, said point also being on the north line of a 4.349 Acre tract conveyed to The Ross County Board of County Commissioners, as recorded in Official Record 229, Page 2300;

thence, S 76°00'42"W, 563.66', running with the northerly line of Moundsville Road to a 5/8 inch Iron Pin and Cap found on the north line of said 4.349 acre tract;

thence, leaving the northerly Right of Way line of said Moundsville Road and running within said State of Ohio lands the following two consecutive courses;

1) N 14°07'03"W, 372.36 to an Iron Pin and Cap set;

2) N 76°09'36"E, 995.77' to an Iron Pin and Cap set on the west Right of Way line of said State Route 104

thence, S 14°43'37"E, 270.09' to the Point of Beginning containing 8.000 acres of land acres, more or less, subject to all streets, highways, right-of-ways, alleys, easements, agreements and/or conditions of record, if any.

Bearings are based on the Ohio State Plane Coordinate System, N.A.D. 83, Ohio South Zone.

This description is based on an actual field survey performed on the eighteenth day of October, 2016.

All iron pins set are 5/8 inch diameter x 30 inch rebar with a yellow plastic cap stamped "Central Surv Co., Ltd."

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B)(1) The conveyance includes improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record: all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed for the conveyance of the real estate may contain restrictions, exceptions, reservations, reversionary interests, or other terms and conditions the Director of Administrative Services determines to be in the best interest of the state.

(3) Before the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or the Department of Rehabilitation and Correction without the necessity of further legislation.

(C) The Director of Administrative Services shall offer the real estate to Ohio Power Company through a real estate purchase agreement, in the form prescribed by the Department of Administrative Services. Consideration for the conveyance of the real estate shall be at a price acceptable to the Director of Administrative Services and the Director of Rehabilitation and Correction. If Ohio Power Company does not complete the purchase of the real estate within the time period provided in the real estate purchase agreement, the Director of Administrative Services may use any reasonable method of sale considered acceptable by the Department of Rehabilitation and Correction to determine an alternate grantee willing to complete the purchase not later than three years after the effective date of this section.

(D) The real estate shall be sold as an entire tract and not in parcels.

(E) The grantee shall pay all costs associated with the purchase, closing, and conveyance of the real estate, including surveys, appraisals, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

The net proceeds of the sale or sales shall be deposited into the state treasury to the credit of the Adult and Juvenile Correctional Facilities Bond Retirement Fund in accordance with section 5120.092 of the Revised Code and shall be used for debt retirement only.

(F) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the

Ross County Recorder.

(G) This section expires three years after its effective date.

SECTION 29. Notwithstanding division (A)(5) of section 123.01 of the Revised Code, the Director of Administrative Services with the Director of Rehabilitation and Correction shall enter into an environmental covenant easement with an appropriate party to protect a 100 foot corridor on the western banks of the Big Darby Creek on the Pickaway County Orient Prison site. The easement shall not preclude future outdoor recreational activities including fishing, canoeing, kayaking, or hiking.

The Director of Administrative Services, with the assistance of the Attorney General, shall prepare the environmental covenant easement document. The easement shall be executed by the Director of Administrative Services in the name of the state, presented in the Office of the Auditor of State for recording, and delivered to the party. The party shall present the easement for recording in the Office of the Pickaway County Recorder. The party shall pay the recording costs and fees.

SECTION 30. (A) The Governor may execute a deed in the name of the state conveying to the Board of Education of East Clinton Local School District ("Grantee"), its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the State of Ohio, County of Clinton, Village of New Vienna, Green Township and VMS#1078, and being a 15.00 acres tract of land out of an original 100.72 acres tract (with exceptions) as conveyed to Leone H. Wolfe in Deed Book 252, Page 540 (Parcel 2) at the Clinton County Recorder's Office, Clinton County, Ohio, said 15.000 acres being more particularly described as follows:

Beginning at a PK nail found in the centerline of State Route 28, and in the southern boundary of said 100.72 tract;

Thence, along said centerline of State Route 28 S 81 deg 42' 35" W, a distance of 70.42 feet to a railroad spike set in said centerline of State Route 28;

Thence, crossing said State Route 28, and crossing said 100.72 acres tract N 08 deg 25' 32" W a distance of 172.73 feet to an iron pin set;

Thence, crossing said 100.72 acres tract, S 81 deg 34' 28" W a distance of 305.70 feet to an iron pin set in the eastern boundary of Lot 6M of Wilbur Huffman Subdivision of record with said Recorder's Office as an extension of the Village of New Vienna;

Thence, along the western boundary of said 100.72 acres tract and the eastern boundary of said Wilbur Huffman Subdivision, N 43 deg 30' 03" W, a distance of 346.10 feet to an iron pin set at the northeastern corner of Lot 1M of said Wilbur Huffman Subdivision, at a northwestern corner of said 100.72 acres tract, and in the southern boundary of a 0.36 acres tract as conveyed to Thomas J. Hicks of record in Deed Book 82, Page 96 at said Recorder's Office;

Thence, along a northern boundary of said 100.72 acres tract and the southern boundaries of the following tracts:

0.46 acres to L. & D. Barley in Deed Book 117, Page 201;

0.61 acres to Charles & Maxine M. Clark in Deed Book 273, Page 264,

0.64 acres to Robert & Ann M. Norman in Deed Book 95, Page 521,

0.48 acres to Wilma J. Crossham in Deed Book 175, Page 99,

0.34 acres to Kristopher R. Cochran in deed Book 120, Page 789,

N 45 deg 30' 00" E a distance of 516.12 feet to an iron pin set at the southeastern corner of said 0.34 acres tract;

Thence, along the eastern boundary of said 0.34 acres tract and a western boundary of said 100.72 acres tract, N 45 deg 01' 35" W a distance of 22.44 feet to an iron pin set in the eastern boundary of said 0.34 acres tract, in a western boundary of said 100.72 acres tract, and at the southwestern corner of a 0.500 acres tract as conveyed to Virginia Hilderbrant as recorded in Deed Book 230, Page 131 at said Recorder's Office;

Thence along a northern boundary of said 100.72 acres tract and the southern boundaries of said 0.500 acres Hilderbrant tract and a 0.439 acres tract as conveyed to G. L. P. and Brewer J. Brewer of record in Deed Book 286, Page 876 at said Recorder's Office, N 46 deg 22' 32" E (passing an iron pin found at the southwestern corner of said 0.439 acres tract at a distance of 223.44 feet) a total distance of 319.44 feet to an iron pin set; at the southeastern corner of said 0.439 acres tract and in the northern boundary of said 100.72 acres tract;

Thence crossing said 100.72 acres tract the following two courses:

1) S 44 deg 02' 41" E a distance of 400.00 feet to an iron pin set;

2) S 35 deg 54' 34" E a distance of 740.37 feet to a railroad spike set in the southern boundary of said 100.72 acres tract and in the centerline of said State Route 28;

Thence along the centerline of said State Route 28 and the southern boundary of said 100.72 acres tract S 83 deg 16' 45" W a distance of 664.73 feet to the point of beginning containing 15.000 acres more or less, and being subject to all easements, restrictions and right-of-ways (if any) or previous record.

This description was prepared by Civil Engineering Associates, Inc., Columbus, Ohio from an actual field survey of the premises in September of 1995. The basis of bearings is N 45 deg 30' 00" E for a northern boundary of said 100.72 acres tract as conveyed in Deed Book 252, Page 540.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B) The real estate was originally conveyed to the state as collateral for school construction facility bonds. Once the construction project was completed, the intention was for the state to convey title of this real estate to the East Clinton Local School District. The purpose of this legislation is to fulfill this intention.

(C) The real estate described in division (A) of this section shall be conveyed as an entire tract and not in parcels.

(D) Consideration for the conveyance of the real estate described in division (A) of this section is \$1.

(E) The grantee shall pay all costs associated with the purchase and conveyance of the real estate including recording costs and fees.

(F) The net proceeds of the conveyance shall be deposited into the state treasury to the credit of the General Revenue Fund.

(G) Upon payment of the purchase price, the Auditor of State, with the assistance of the

Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and the terms and conditions of the conveyance. The deed shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Clinton County Recorder.

(H) This section shall expire three years after its effective date.

SECTION 31. (A) The Governor may execute a deed in the name of the state conveying to the Board of Education of the Northridge Local School District, and to its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the Township of Liberty, County of Licking and State of Ohio, and bounded as described as follows:

Being in range fourteen (14), township three (3) and quarter township number one (1), of the United States Military Tract and being a part of lot number four (4) in the plat survey of Bushnell, the County Surveyor, lying in the west half of Quarter Township or section number one (1) and being in the same real estate conveyed to Ralph L. Parrill and Donna J. Parrill and Donald Parrill and C. Katharine Parrill by Alfred M. Kass and Frank Kass, Trustees of the Joseph F. Kass Trust, by deed dated September 22, 1977 and recorded in deed record volume 767, page 544, and being more particularly described as follows:

Beginning at a point in the centerline of U. S. Highway Route (62) and the intersection of the west boundary of said lot number four (4);

Thence, continuing southward along the west boundary of lot number (4) a distance of 2,303 feet to a point which marks the southern boundary of lot number four (4) and the northern boundary of lot number seven (7);

Thence, eastward along the common boundary of lot number (4) and lot number seven (7) a distance of 560 feet to a point, which is also 786.4 feet from the eastern boundary of lot number four (4);

Thence, northward on a line parallel to the western boundary of lot number four (4) a distance of 2,643 feet to a point in the centerline of U. S. Highway Route 62;

Thence southwestwardly along the centerline of U. S. Highway Route 62 to the point at the intersection of U. S. Highway Route 62 to the point at the intersection of U. S. Highway Route 62 and the western boundary of lot number four (4) which is the point of beginning and containing 31.792 acres more or less subject to all rights of way, easements and restrictions, if any, of previous record.

EXCEPTING THEREFROM THE FOLLOWING:

Situate in the State of Ohio, the County of Licking, the Township of Liberty, being part of Lot No. 4 in the First Quarter of Township No. 3, Range No. 14, U. S. M. Lands, also being part of a 31.792 Acre Tract conveyed to Ralph L. and Donna J. Parrill, as the same is shown of record in Official Record Book No. 14, Page No. 772 in the records of the Recorder's Office, Licking County, Ohio and being more particularly described as follows.

Beginning at a point in U. S. Route No. 62 (Johnstown-Utica Road), said point being North 60°31'00" East, a distance of 371.98 feet from a point where the Westerly line of Lot No. 4 intersects

the centerline of U. S. Route No. 62 (Johnstown-Utica Road);

Thence, from said point of beginning, North 60°31'00" East and along the centerline of U. S. Route No. 62 (Johnstown-Utica Road) and along the Northerly line of the above mentioned 31.792 Acre Tract, a distance of 299.98 feet to a point;

Thence, South 04°04'07" West and along the Easterly line of said 31.792 Acre Tract and along the Westerly line of a certain 51.508 Acre Tract conveyed to Donald and C. Katherine Parrill, as shown of record in Official Record Book No. 14, Page 768 and passing an Iron Pin on line at 54.00 feet, a distance of 431.80 feet to an Iron Pin;

Thence, North 85°55'53" West, a distance of 250.00 feet to an Iron Pin;

Thence, North 04°04'07" East and parallel to the Easterly line of said 31.792 Acre Tract and passing an Iron Pin on line at 212.00 feet, a distance of 266.00 feet to the place of beginning and containing 2.002 Acres, subject to all easements and/or restrictions shown of record, also subject to all legal right-of-way. Leaving after said exception 29.790 acres, more or less.

Prior Instrument Reference: Official Record 915 Page 925 PPN: 39-114834-01.000

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the deed.

(B) Consideration for the conveyance of the real estate is \$1.

(C) The real estate shall be sold as an entire tract and not in parcels.

(D) The Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Licking County Recorder.

(E) The grantee shall pay the costs of the conveyance of the real estate, including recordation costs of the deed.

(F) The net proceeds of the conveyance shall be deposited into the state treasury to the credit of the General Revenue Fund.

(G) This section expires three years after its effective date.

SECTION 32. (A) Notwithstanding division (A)(5) of section 123.01 of the Revised Code, the Director of Administrative Services may execute a perpetual easement in the name of the state granting to the City of Piqua and to its successors and assigns, a perpetual water line easement located at the Johnston Farm and Indian Agency Historic Site and legally described as follows:

Situated in Section 6, Town 6, Range 6 East, City of Piqua, Miami County, Ohio being Lot 8138 as conveyed to the State of Ohio in D.B. 426 Page 70 of the Miami County Recorder's Office and being more particularly described as follows:

Commencing at the southeast corner of the above referenced Lot 8138, being the southwest corner of a tract of land conveyed to the Ohio Historical Society;

Thence along a southerly line of Lot 8138, N72°45'13"W a distance of 161.22 feet;

Thence continuing along a southerly line of Lot 8138, N34°47'23"W a distance of 200.22 feet to the True Point of Beginning;

Thence continuing along said southerly line, N34°47'23"W a distance of 25.87 feet;

Thence along lines through said Lot 8138, S85°25'01"E a distance of 277.88 feet to a point in the east line of said Lot 8138;

Thence along the east line of said lot, S29°19'07"W a distance of 22.02 feet;

Thence along a line through said Lot 8138, N85°25'01"W a distance of 252.26 to the Point of Beginning.

The above described parcel containing 5,301 square feet more or less.

The foregoing legal description may be corrected or modified by the Department of Administrative Services as necessary in order to facilitate the recording of the easement.

(B) The perpetual easement shall state the obligations of, and the duties to be observed and performed by, the City of Piqua, Ohio, with regard to the perpetual easement, and shall require the City of Piqua, Ohio, to assume perpetual responsibility for operating, maintaining, repairing, reconstructing, and replacing an existing water supply line on the real estate.

(C) The consideration for the granting of this easement is \$426.

(D) The Director of Administrative Services, with the assistance of the Attorney General, shall prepare and execute the perpetual easement document. The perpetual easement shall state the consideration and the terms and conditions for the granting of the perpetual easement. The perpetual easement shall be executed by the Director of Administrative Services in the name of the state, presented in the Office of the Auditor of State for recording, and delivered to the City of Piqua, Ohio. The City of Piqua, Ohio, shall present the perpetual easement for recording in the Office of the Miami County Recorder. The City of Piqua, Ohio, shall pay the recording costs and fees.

(E) This section expires three years after its effective date.

SECTION 33. That sections 729.10 and 729.11 of Am. Sub. H.B. 483 of the 130th General Assembly, as amended by Sub. H.B. 53 of the 131st General Assembly, be amended to read as follows:

Sec. 729.10. (A)(1) There is hereby created the Criminal Justice Recodification Committee, consisting of twenty-four members. Three members shall be members of the Senate, appointed by the President of the Senate. Two of those members shall be members of the majority party in the Senate and one shall be a member of the minority party in the Senate. Three members shall be members of the House of Representatives, appointed by the Speaker of the House of Representatives. Two of those members shall be members of the majority party in the House of Representatives and one shall be a member of the minority party in the House of Representatives. One member shall be a Justice of the Supreme Court, appointed by the Chief Justice of the Supreme Court. One member shall be the Director of Rehabilitation and Correction or the Director's individual designee. One member shall be the Director of Youth Services or the Director's individual designee. Three members, not more than two of whom shall be members of the same political party, shall be judges jointly appointed by the President of the Senate and the Speaker of the House of Representatives after consulting with the Chief Justice of the Supreme Court, with each judge being a judge of a court of appeals, judge of a court of common pleas, judge of a municipal court, or judge of a county court. The following twelve members, not more than seven of whom shall be members of the same political party, shall be jointly appointed by the President of the Senate and the Speaker of the House of Representatives after consulting with the appropriate state associations, if any, that are represented by these members: one

sheriff; one peace officer of a municipal corporation or township; three prosecutors, each of whom is a county prosecuting attorney or a full-time city prosecuting attorney; three attorneys whose practice of law primarily involves the representation of criminal defendants; one member of the Ohio State Bar Association; one representative of community corrections programs; one representative of community addiction services providers or community mental health services providers; and one representative of a juvenile justice organization.

All appointed members of the Committee shall be appointed by the specified appointing authority not later than thirty days after ~~the effective date of the amendments to this section July 1, 2015.~~ All members of the Committee who are elected officials and whose term of office expires prior to January 1, ~~2016~~ 2017, shall serve until the expiration of their term of office. Any vacancy on the Committee shall be filled in the same manner as the original appointment.

When the President of the Senate and the Speaker of the House of Representatives make their appointments to the Committee, they shall consider adequate representation by race and gender.

(2) As used in division (A)(1) of this section:

(a) "Community addiction services provider" and "community mental health services provider" have the same meanings as in section 5119.01 of the Revised Code.

(b) "Community corrections programs" has the same meaning as in section 5149.30 of the Revised Code.

(B) The Committee initially shall meet not later than sixty days after ~~the effective date of the amendments to this section July 1, 2015.~~ At its initial meeting, the Committee shall organize, select a Chairperson and Vice-chairperson and any other necessary officers, and adopt rules to govern its proceedings. The Committee shall meet as necessary at the call of the Chairperson or on the written request of eight or more of its members. Thirteen members of the Committee constitute a quorum, and the votes of a majority of the quorum present shall be required to validate any action of the Committee. All business of the Committee shall be conducted in public meetings.

The members of the Committee shall serve without compensation, but each member shall be reimbursed for the member's actual and necessary expenses incurred in the performance of the member's official duties on the Committee. In the absence of the Chairperson, the Vice-chairperson shall perform the duties of the Chairperson.

(C) The Committee has the same powers as other standing or select committees of the General Assembly. The Committee may consult with, and seek and obtain research and technical services and support from, any individual, organization, association, college, or university. All state and local government agencies and entities shall cooperate with the Committee in the performance of its duties under this section and Section 729.11 of Am. Sub. H.B. 483 of the 130th General Assembly.

Sec. 729.11. (A) The Criminal Justice Recodification Committee shall study the existing criminal statutes of this state, with the goal of enhancing public safety and the administration of criminal justice in Ohio by eliminating duplication in those statutes, aligning those statutes with the purpose of defining a culpable mental state for all crimes, removing or revising crimes included in those statutes for which no culpable mental state is provided, and other appropriate measures. The Committee shall use the results of its study to develop and recommend to the General Assembly a comprehensive plan for revising the state's Criminal Code that is consistent with those specified goals of the study.

(B) Not later than ~~August 1, 2016~~ June 30, 2017, the Criminal Justice Recodification Committee shall recommend to the General Assembly a comprehensive plan for revising the state's Criminal Code that is consistent with the goals of the Committee's study that are specified in division (A) of this section.

(C) Upon its submission to the General Assembly pursuant to division (B) of this section of its recommendations for a comprehensive plan for revising the state's Criminal Code, the Criminal Justice Recodification Committee shall cease to exist.

SECTION 34. That existing Sections 729.10 and 729.11 of Am. Sub. H.B. 483 of the 130th General Assembly, as amended by Sub. H.B. 53 of the 131st General Assembly, are hereby repealed.

SECTION 35. Section 149.43 of the Revised Code is presented in this act as a composite of the section as amended by Sub. H.B. 317, Sub. H.B. 359, and Sub. S.B. 321, all of the 131st General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.

SECTION 36. This act is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to prevent the expiration of certain sections of law that will otherwise occur on December 31, 2016, and to continue the agencies being renewed in this act before their expiration on December 31, 2016. Therefore, this act goes into immediate effect.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20 ____.

Secretary of State.

File No. _____ Effective Date _____